



JUN 30 2016

Mr. Steve Dessauer
Baker Commodities, Inc.
P O Box 416
Kerman, CA 93630

**Re: Proposed ATC / Certificate of Conformity (Significant Mod)
District Facility # C-72
Project # C-1152389**

Dear Mr. Dessauer:

Enclosed for your review is the District's analysis of an application for Authority to Construct for the facility identified above. You requested that a Certificate of Conformity with the procedural requirements of 40 CFR Part 70 be issued with this project. This project is for the modification of the gasoline dispensing operation to limit the annual gasoline throughput to 18,000 gallons.

After addressing all comments made during the 30-day public notice and the 45-day EPA comment periods, the District intends to issue the Authority to Construct with a Certificate of Conformity. Please submit your comments within the 30-day public comment period, as specified in the enclosed public notice. Prior to operating with modifications authorized by the Authority to Construct, the facility must submit an application to modify the Title V permit as an administrative amendment, in accordance with District Rule 2520, Section 11.5.

If you have any questions, please contact Mr. Errol Villegas, Permit Services Manager, at (559) 230-5900.

Thank you for your cooperation in this matter.

Sincerely,

for 
Arnaud Marjollet
Director of Permit Services

Enclosures

cc: Tung Le, CARB (w/enclosure) via email
cc: Gerardo C. Rios, EPA (w/enclosure) via email

Seyed Sadredin
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San Joaquin Valley Air Pollution Control District
Authority to Construct Application Review
Modification of Motor Vehicle Refueling – Gasoline Dispensing Facility

Facility Name:	Baker Commodities, Inc.	Date:	June 8, 2016
Mailing Address:	16801 W Jensen Ave Kerman, CA 93630	Engineer:	Robert Gilles
Contact Person:	Marnie Dorsz, consultant	Lead Engineer:	Joven Refuerzo
Telephone:	(714) 919-6500 x141		
E-Mail:	mdorsz@montrose.env.com		
Application #:	C-72-6-4		
Project #:	C-1152389		
Deemed Complete:	May 25, 2016		

I. Proposal

The primary business of Baker Commodities, Inc. (hereafter Baker) is animal matter rendering. Baker has submitted an Authority to Construct (ATC) application for the modification of its gasoline dispensing operation to limit the annual gasoline throughput (volume of gasoline dispensed) to not exceed 18,000 gallons.

This annual throughput limit is proposed so the facility can delay updating the Phase I vapor recovery system to an Enhanced Vapor Recovery (EVR) system. The 2008 California Air Resources Board (ARB) statewide EVR standards require that aboveground storage tanks (ASTs) be equipped with a Phase I EVR system to reduce air pollution from ASTs. However, as provided in ARB's *AST EVR Regulatory Advisory*¹ (February 28, 2014) (included in Appendix D and available at <http://www.arb.ca.gov/vapor/astregadvisory022614.pdf>), existing ASTs with an annual gasoline throughput of 18,000 gallons or less and located in the San Joaquin Valley APCD, Sacramento Metro AQMD, Bay Area AQMD, or Ventura County APCD may continue using a Phase I vapor recovery (pre-EVR) system until the end of that system's useful life if the Phase I vapor recovery system has been certified by ARB under one of the following Executive Orders:

Allowable Phase I vapor recovery Executive Orders:

- G-70-97-A;
- G-70-102-A; or
- G-70-142-B.

The AST at this Baker facility meets all of the requirements, except for the gasoline throughput limit, to allow the continued use of their existing Phase I vapor recovery system until the end of

¹ Note that the Regulatory Advisory outlines "anticipated" changes to the EVR requirements for certain ASTs. The anticipated changes were made final by ARB on April 1, 2016.

its useful life. Therefore, project is to limit the annual gasoline throughput to not exceed 18,000 gallons.

Significant Modification to the Title V Permit:

Since the current permit allows a gasoline throughput of greater than 18,000 gallons per year, the facility would be required to upgrade its Phase I vapor recovery system to an ARB-certified Phase I EVR system. Since the facility is requesting an annual gasoline throughput limit in order to be exempt from this requirement, this project constitutes a Title V Significant Permit Modification.

Baker received their Title V Permit on November 30, 2004. This modification can be classified as a Title V Significant Permit Modification pursuant to Rule 2520 and can be processed with a Certificate of Conformity (COC). Since the facility has specifically requested that this project be processed in that manner, the 45-day EPA comment period will be satisfied prior to the issuance of the ATC. Baker must apply to administratively amend their Title V permit.

For streamlining purposes, since the modification authorized by this project does not require on-site compliance action, the ATC permit will be directly converted to a Permit to Operate (PTO) pending successful completion of the 45-day EPA notification period and submittal of the facility's application for a Title V Administrative Amendment.

II. Applicable Rules

Rule 2201	New and Modified Stationary Source Review Rule (2/18/16)
Rule 2410	Prevention of Significant Deterioration (6/16/11)
Rule 2520	Federally Mandated Operating Permits (6/21/01)
Rule 4001	New Source Performance Standards (4/14/99)
Rule 4002	National Emissions Standards for Hazardous Air Pollutants (5/20/04)
Rule 4102	Nuisance (12/17/92)
Rule 4621	Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants (12/19/13)
Rule 4622	Transfer of Gasoline into Vehicle Fuel Tanks (12/19/13)
CH&SC 41700	Health Risk Assessment
CH&SC 42301.6	School Notice
Public Resources Code 21000-21177:	California Environmental Quality Act (CEQA)
California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387:	CEQA Guidelines

III. Project Location

The facility is located at 16801 W Jensen Ave in Kerman, CA. The equipment is not located within 1,000 feet of the outer boundary of a K-12 school. Therefore, the public notification requirement of California Health and Safety Code 42301.6 is not applicable to this project.

IV. Process Description

Gasoline is delivered to the storage tank via a delivery vessel. Gasoline is then dispensed from the storage tank into motor vehicle tanks during vehicle refueling.

V. Equipment Listing

Pre-Project Equipment Description:

C-72-6-3: GASOLINE DISPENSING OPERATION WITH ONE 1,000 GALLON ABOVEGROUND STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-142-A), AND 1 FUELING POINT WITH PHASE II EXEMPT GASOLINE DISPENSING NOZZLE

Proposed Modification:

Baker has proposed to limit the annual gasoline throughput to not exceed 18,000 gallons.

C-72-6-4: MODIFICATION OF GASOLINE DISPENSING OPERATION WITH ONE 1,000 GALLON ABOVEGROUND STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-142-A), AND 1 FUELING POINT WITH PHASE II EXEMPT GASOLINE DISPENSING NOZZLE: REVISE THE EQUIPMENT DESCRIPTION TO INCLUDE STANDING LOSS CONTROL (SLC) AND LIMIT ANNUAL GASOLINE THROUGHPUT TO NOT EXCEED 18,000 GALLONS

Post-Project Equipment Description:

C-72-6-4: GASOLINE DISPENSING OPERATION WITH ONE 1,000 GALLON ABOVEGROUND STORAGE TANK SERVED BY A TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-142-B), STANDING LOSS CONTROL (VR-301-F), AND ONE PHASE II EXEMPT GASOLINE DISPENSING NOZZLE (DUE TO LOW THROUGHPUT)

VI. Emission Control Technology Evaluation

The motor vehicle refueling operation will use an Air Resources Board (ARB)-certified Phase I vapor recovery system designed to reduce VOC emission by at least 95% during storage tank filling. Since the operation is exempt from the requirements of District Rule 4622, there are no controls for VOC during filling of motor vehicle fuel tanks.

VII. General Calculations

A. Assumptions

- This facility may operate 24 hours per day, 365 days per year (worst case);
- The daily pre and post project PE is calculated based on a gasoline throughput of 1,000 gallons, which is one tank turnover every day (applicant proposed);
- Pre-project annual VOC emissions are based on an annual gasoline throughput of not more than 24,000 gallons; and

- Post-project annual VOC emissions are calculated based on an annual throughput of not more than 18,000 gallons (applicant proposed for exemption from ARB's Phase I EVR system upgrade requirement).

B. Emission Factors

The following emission factors were obtained from Appendix A – *Emission Factors For Gasoline Stations* published by CAPCOA Air Toxic "Hot Spots" Program in the Gasoline Service Station Industrywide Risk Assessment Guidelines dated December 1997.

VOC Emission Factors	
Emission Factor (lb-VOC/1,000 gal)	Emission Source
0.42	Tank filling loss (95%)
0.053	Breathing Loss (AST)
8.4	Vehicle fueling loss (uncontrolled)
0.42	Spillage
9.293	Total VOC Losses

C. Calculations

1. Pre-Project Potential to Emit (PE1)

Daily Emissions:

$$\begin{aligned}
 \text{Daily PE1} &= \text{Volume Dispensed, gal/day} \times \text{EF, lb-VOC/1,000 gal-dispensed} \\
 &= 1,000 \text{ gal/day} \times 9.293 \text{ lb-VOC/1,000 gal-dispensed} \\
 &= 9.3 \text{ lb-VOC/day}
 \end{aligned}$$

Annual Emissions:

$$\begin{aligned}
 \text{Annual PE1} &= \text{Volume Dispensed, gal/year} \times \text{EF, lb-VOC/1,000 gal-dispensed} \\
 &= 24,000 \text{ gal/year} \times 9.293 \text{ lb-VOC/1,000 gal-dispensed} \\
 &= 223 \text{ lb-VOC/year}
 \end{aligned}$$

2. Post Project Potential to Emit (PE2)

Daily Emissions:

$$\begin{aligned}
 \text{Daily PE2} &= \text{Volume Dispensed, gal/day} \times \text{EF, lb-VOC/1,000 gal-dispensed} \\
 &= 1,000 \text{ gal/day} \times 9.293 \text{ lb-VOC/1,000 gal-dispensed} \\
 &= 9.3 \text{ lb-VOC/day}
 \end{aligned}$$

Annual Emissions:

$$\begin{aligned}\text{Annual PE2} &= \text{Volume Dispensed, gal/year} \times \text{EF, lb-VOC/1,000 gal-dispensed} \\ &= 18,000 \text{ gal/year} \times 9.293 \text{ lb-VOC/1,000 gal-dispensed} \\ &= 167 \text{ lb-VOC/year}\end{aligned}$$

3. Pre-Project Stationary Source Potential to Emit (SSPE1)

Pursuant to District Rule 2201, the SSPE1 is the Potential to Emit (PE) from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of Emission Reduction Credits (ERC) which have been banked since September 19, 1991 for Actual Emissions Reductions (AER) that have occurred at the source, and which have not been used on-site.

The SSPE1 is calculated in Appendix C and presented in the following table. Since this project is a VOC-only project, only the VOC SSPE1 is shown in the following table.

SSPE1 (lb/year)	
Permit Unit	VOC
SSPE1	4,609

4. Post Project Stationary Source Potential to Emit (SSPE2)

Pursuant to District Rule 2201, the SSPE2 is the PE from all units with valid ATCs or PTOs at the Stationary Source and the quantity of ERCs which have been banked since September 19, 1991 for AER that have occurred at the source, and which have not been used on-site.

Since this project is a VOC-only project, only the VOC SSPE2 is shown in the following table.

SSPE2 (lb/year)	
Permit Unit	VOC
C-72-1-5 ²	0
C-72-3-13	1,314
C-72-6-4	167
C-72-7-10	1,903
C-72-8-6	1,168
C-72-9-5	0
C-72-10-0	1
SSPE2	4,553

5. Major Source Determination

Rule 2201 Major Source Determination:

Pursuant to District Rule 2201, a Major Source is a stationary source with a SSPE2 equal to or exceeding one or more of the following threshold values. For the purposes of determining major source status the following shall not be included:

- any ERCs associated with the stationary source
- Emissions from non-road IC engines (i.e. IC engines at a particular site at the facility for less than 12 months)
- Fugitive emissions, except for the specific source categories specified in 40 CFR 51.165

Rule 2201 Major Source Determination (lb/year)	
	VOC
SSPE1	4,609
SSPE2	4,553
Major Source Threshold	20,000
Major Source?	No

As shown in the table above, the facility is not an existing Major Source for VOC and is not becoming a Major Source for VOC as a result of this project.

Rule 2410 Major Source Determination:

The facility or the equipment evaluated under this project is not listed as one of the categories specified in 40 CFR 52.21(b)(1)(iii). Therefore, the PSD Major Source

²As outlined in District project C-1061086, there are no criteria pollutant emissions from the animal matter receiving operation. This operation is permitted for nuisance purposes and criteria pollutant emissions are equal to 0 lb/year.

threshold is 250 TPY for any regulated NSR pollutant. Note that PM is assumed to be equal to PM₁₀.

PSD Major Source Determination (tons/year)						
	NO ₂	VOC	SO ₂	CO	PM	PM ₁₀
Estimated Facility PE before Project Increase	33.90	2.30	13.32	74.15	9.89	9.89
PSD Major Source Thresholds	250	250	250	250	250	250
PSD Major Source?	No	No	No	No	No	No

As shown above, the facility is not an existing PSD major source for any regulated NSR pollutant expected to be emitted at this facility.

6. Baseline Emissions (BE)

The BE calculation (in lb/year) is performed pollutant-by-pollutant for each unit within the project to calculate the QNEC, and if applicable, to determine the amount of offsets required.

Pursuant to District Rule 2201, BE = PE1 for:

- Any unit located at a non-Major Source,
- Any Highly-Utilized Emissions Unit, located at a Major Source,
- Any Fully-Offset Emissions Unit, located at a Major Source, or
- Any Clean Emissions Unit, located at a Major Source.

otherwise,

BE = Historic Actual Emissions (HAE), calculated pursuant to District Rule 2201.

As shown in Section VII.C.5 above, the facility is not a Major Source for VOC; therefore, BE=PE1 for VOC emissions.

C-72-6-4

As calculated in Section VII.C.1 above, PE1 is summarized in the following table:

BE (lb/year)	
Permit Unit	VOC
C-72-6-4	223

7. SB 288 Major Modification

SB 288 Major Modification is defined in 40 CFR Part 51.165 as "any physical change in or change in the method of operation of a major stationary source that would result in a significant net emissions increase of any pollutant subject to regulation under the Act."

Since this facility is not a major source for any of the pollutants addressed in this project, this project does not constitute an SB 288 major modification.

8. Federal Major Modification

District Rule 2201 states that a Federal Major Modification is the same as a "Major Modification" as defined in 40 CFR 51.165 and part D of Title I of the CAA.

Since this facility is not a Major Source for any pollutant addressed in this project, this project does not constitute a Federal Major Modification. No further discussion is required.

9. Rule 2410 – Prevention of Significant Deterioration (PSD) Applicability Determination

Rule 2410 applies to any pollutant regulated under the Clean Air Act, except those for which the District has been classified nonattainment. The pollutants which must be addressed in the PSD applicability determination for sources located in the SJV are: (See 52.21(b)(23) definition of significant)

- NO₂ (as a primary pollutant)
- SO₂ (as a primary pollutant)
- CO
- PM
- PM₁₀
- Lead
- Fluorides
- Sulfuric acid mist
- Hydrogen sulfide (H₂S)
- Total reduced sulfur (including H₂S)
- Reduced sulfur compounds
- Municipal waste combustor organics (measured as total tetra-through octa-chlorinated dibenzo-p-dioxins and dibenzofurans): 3.2×10^{-6} megagrams per year (3.5×10^{-6} tons per year)
- Municipal waste combustor metals (measured as particulate matter): 14 megagrams per year (15 tons per year)
- Municipal waste combustor acid gases (measured as sulfur dioxide and hydrogen chloride): 36 megagrams per year (40 tons per year)
- Municipal solid waste landfills emissions (measured as non-methane organic compounds): 45 megagrams per year (50 tons per year)

Since this project only involves VOC and VOC is not listed above, the requirements of Rule 2410 are not applicable.

10. Quarterly Net Emissions Change (QNEC)

The Quarterly Net Emissions Change is used to complete the emission profile screen for the District's PAS database. The QNEC shall be calculated as follows:

$$\text{QNEC} = \text{PE2} - \text{PE1}$$

Where:

- QNEC = Quarterly Net Emissions Change for each emissions unit, lb/qtr.
- PE2 = Post Project Potential to Emit for each emissions unit, lb/qtr.
- PE1 = Pre-Project Potential to Emit for each emissions unit, lb/qtr.

Using the values in Sections VII.C.2 and VII.C.6, quarterly PE2 and quarterly PE1 can be calculated as follows:

$$\begin{aligned} \text{PE2}_{\text{quarterly}} &= \text{PE2}_{\text{annual}} \div 4 \text{ quarters/year} \\ &= 167 \text{ lb-VOC/year} \div 4 \text{ qtr/year} \\ &= 41.75 \text{ lb-VOC/qtr} \end{aligned}$$

$$\begin{aligned} \text{PE1}_{\text{quarterly}} &= \text{PE1}_{\text{annual}} \div 4 \text{ quarters/year} \\ &= 223 \text{ lb-VOC/year} \div 4 \text{ qtr/year} \\ &= 55.75 \text{ lb-VOC/qtr} \end{aligned}$$

QNEC (lb/qtr)			
Pollutant	PE2	PE1	QNEC
VOC	41.75	55.75	-14.00

VIII. Compliance Determination

Rule 2201 New and Modified Stationary Source Review Rule

A. Best Available Control Technology (BACT)

1. BACT Applicability

BACT requirements are triggered on a pollutant-by-pollutant basis and on an emissions unit-by-emissions unit basis. Unless specifically exempted by Rule 2201, BACT shall be required for the following actions²:

² Except for CO emissions from a new or modified emissions unit at a Stationary Source with an SSPE2 of less than 200,000 pounds per year of CO.

- a. Any new emissions unit with a potential to emit exceeding two pounds per day,
- b. The relocation from one Stationary Source to another of an existing emissions unit with a potential to emit exceeding two pounds per day,
- c. Modifications to an existing emissions unit with a valid Permit to Operate resulting in an AIPE exceeding two pounds per day, and/or
- d. Any new or modified emissions unit, in a stationary source project, which results in an SB 288 Major Modification or a Federal Major Modification, as defined by the rule.

a. New emissions units – PE > 2 lb/day

As discussed in Section I above, there are no new emissions units associated with this project; therefore, BACT for new units with PE>2 lb/day purposes is not triggered.

b. Relocation of emissions units – PE > 2 lb/day

As discussed in Section I above, there are no emissions units being relocated from one stationary source to another; therefore BACT for relocated units with PE>2 lb/day purposes is not triggered.

c. Modification of emissions units – AIPE > 2 lb/day

$$\text{AIPE} = \text{PE}_2 - \text{HAPE}$$

Where,

AIPE = Adjusted Increase in Permitted Emissions, (lb/day)

PE₂ = Post-Project Potential to Emit, (lb/day)

HAPE = Historically Adjusted Potential to Emit, (lb/day)

$$\text{HAPE} = \text{PE}_1 \times (\text{EF}_2/\text{EF}_1)$$

Where,

PE₁ = The emissions unit's PE prior to modification or relocation, (lb/day)

EF₂ = The emissions unit's permitted emission factor for the pollutant after modification or relocation. If EF₂ is greater than EF₁ then EF₂/EF₁ shall be set to 1

EF₁ = The emissions unit's permitted emission factor for the pollutant before the modification or relocation

$$\text{AIPE} = \text{PE}_2 - (\text{PE}_1 * (\text{EF}_2 / \text{EF}_1))$$

C-72-6-4

$$\begin{aligned} \text{AIPE} &= 9.3 \text{ lb-VOC/day} - (9.3 \text{ lb-VOC/day} \times (9.293 \div 9.293) \text{ lb-VOC}/1,000 \\ &\text{gallons}) \\ &= 9.3 - (9.3 \times 1) \\ &= 0.0 \text{ lb/day} \end{aligned}$$

As demonstrated above, the AIPE is not greater than 2.0 lb/day for VOC emissions for this project; therefore, BACT for AIPE > 2 lb/day purposes is not triggered.

d. SB 288/Federal Major Modification

As discussed in Sections VII.C.7 and VII.C.8 above, this project does not constitute an SB 288 and/or Federal Major Modification; therefore, BACT for SB 288 or Federal Major Modification purposes is not triggered.

2. BACT Guideline

Since BACT requirements are not triggered, no BACT guideline is applicable.

3. Top-Down BACT Analysis

Since BACT requirements are not triggered, no Top-Down BACT analysis is required.

B. Offsets

1. Offset Applicability

Offset requirements shall be triggered on a pollutant by pollutant basis and shall be required if the SSPE2 equals or exceeds the offset threshold level from Table 4-1 of Rule 2201. The VOC SSPE2 is compared to the offset threshold in the following table:

Offset Determination (lb/year)	
	VOC
SSPE2	4,553
Offset Threshold	20,000
Offsets Triggered?	No

2. Quantity of Offsets Required

As shown above, the VOC SSPE2 is not greater than the offset threshold; therefore, offset calculations are not necessary and offsets will not be required for this project.

C. Public Notification

1. Applicability

Public noticing is required for:

- a. New Major Sources, Federal Major Modifications, and SB 288 Major Modifications,

- b. Any new emissions unit with a Potential to Emit greater than 100 pounds during any one day for any one pollutant,
- c. Any project which results in the offset thresholds being surpassed, and/or
- d. Any project with an SSIPE of greater than 20,000 lb/year for any pollutant.
- e. Any project which results in a Title V significant permit modification

a. New Major Sources, Federal Major Modifications, and SB 288 Major Modifications

New Major Sources are new facilities, which are also Major Sources. Since this is not a new facility, public noticing for New Major Source purposes is not required.

As demonstrated in Sections VII.C.7 and VII.C.8, this project does not constitute an SB 288 or Federal Major Modification; therefore, public noticing for SB 288 or Federal Major Modification purposes is not required.

b. PE > 100 lb/day

Applications which include a new emissions unit with a PE greater than 100 pounds during any one day for any pollutant will trigger public noticing requirements. There are no new emissions units associated with this project; therefore, public noticing for PE>100 lb/day purposes is not required.

c. Offset Threshold

The SSPE1 and SSPE2 are compared to the offset thresholds in the following table.

Offset Thresholds				
Pollutant	SSPE1 (lb/year)	SSPE2 (lb/year)	Offset Threshold	Public Notice Required?
VOC	4,609	4,553	20,000 lb/year	No

As detailed above, the VOC offset threshold was not surpassed with this project; therefore, public noticing for offset purposes is not required.

d. SSIPE > 20,000 lb/year

Public notification is required for any permitting action that results in a SSIPE of more than 20,000 lb/year of any affected pollutant. According to District policy, the SSIPE = SSPE2 – SSPE1. The SSIPE is compared to the SSIPE Public Notice thresholds in the following table.

SSIPE Public Notice Thresholds					
Pollutant	SSPE2 (lb/year)	SSPE1 (lb/year)	SSIPE (lb/year)	SSIPE Public Notice Threshold	Public Notice Required?
VOC	4,553	4,609	-56	20,000 lb/year	No

As demonstrated above, the SSIPEs for all pollutants were less than 20,000 lb/year; therefore, public noticing for SSIPE purposes is not required.

e. Title V Significant Permit Modification

As discussed previously, this project constitutes a Title V Significant Permit Modification; therefore, public noticing for Title V Significant Permit Modification purposes is required.

2. Public Notice Action

As discussed above, public noticing is required for this project since the project constitutes a Title V Significant Permit Modification. Public notice documents will be submitted to the California ARB and a public notice will be published in a local newspaper of general circulation prior to the issuance of the final ATC permit for this proposed modification.

D. Daily Emission Limits (DELs)

DELs and other enforceable conditions are required by Rule 2201 to restrict a unit's maximum daily emissions, to a level at or below the emissions associated with the maximum design capacity. The DEL must be contained in the latest ATC and contained in or enforced by the latest PTO and enforceable, in a practicable manner, on a daily basis. DELs are also required to enforce the applicability of BACT.

For the gasoline dispensing operation, the DELs will be stated as a gasoline throughput limit (gallons per day) along with the number of nozzles and the requirement for a Phase I vapor recovery system stated in the equipment description.

Proposed Rule 2201 (DEL) Conditions:

- The total gasoline throughput for this operation shall not exceed 1,000 gallons per day. [District Rule 2201]
- {modified 4251} Total gasoline throughput for this operation shall not exceed the following: 10,000 gallons in any consecutive 30-day period and 18,000 gallons per rolling 12-month period. If the gasoline throughput exceeds the stated limits, the permittee shall submit a complete application for an Authority to Construct (ATC) to the District within 30 days of the loss of exemption and shall install and test a certified Phase II vapor recovery system within six (6) months from the date the ATC is issued. [District Rules 2201, 4621, and 4622]

E. Compliance Assurance

1. Source Testing

Pursuant to District Policy APR 1705, source testing is not required to demonstrate compliance with Rule 2201. Note that source testing is required by District Rule 4621 – *Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants*, and Rule 4622 – *Transfer of Gasoline into Vehicle Fuel Tanks*.

2. Monitoring

No monitoring is required to demonstrate compliance with Rule 2201. Note that monitoring is required by District Rule 4621 – *Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants*, and Rule 4622 – *Transfer of Gasoline into Vehicle Fuel Tanks*.

3. Recordkeeping

Recordkeeping is required to demonstrate compliance with the offset, public notification, and daily emission limit requirements of Rule 2201. The following condition will be included on the permit:

- {modified 4738} The permittee shall maintain daily and annual gasoline throughput records. The records shall calculate the gasoline throughput on a rolling 30-day period and a rolling 12-month period and shall be maintained on the premises as long as Phase II EVR exempt status is claimed. [District Rules 2201, 4621, and 4622]

4. Reporting

No reporting is required to demonstrate compliance with Rule 2201.

F. Ambient Air Quality Analysis (AAQA)

Since this project triggers public notification requirements, this rule requires that an ambient air quality analysis (AAQA) be conducted for the "increases in minor and secondary source emissions" for the purpose of determining whether a new or modified Stationary Source will cause or make worse a violation of an air quality standard. As previously demonstrated, this project will result in no increases in emissions. Further, this project involves only VOC emissions and there are no ambient air quality standards for VOC emissions. Therefore, an AAQA is not required for this project.

Rule 2410 Prevention of Significant Deterioration

As shown in Section VII.C.9. above, this project does not result in a new PSD major source or PSD major modification; therefore, the requirements of this rule are not applicable. No further discussion is required.

Rule 2520 Federally Mandated Operating Permits

This facility is subject to this rule and has received their Title V Operating Permit. A significant permit modification is defined as a “permit amendment that does not qualify as a minor permit modification or administrative amendment.”

Minor permit modifications do not relax monitoring, reporting, or recordkeeping requirements in the permit and are not significant changes in existing monitoring permit terms or conditions. The current permit requires the facility to meet applicable ARB requirements for upgrading the Phase I vapor recovery system to Enhanced Vapor Recovery (EVR). Since the facility is limiting the maximum gasoline throughput to less than 18,000 gallons per year in order to be exempt from this requirement which they would otherwise be subject to, this project constitutes a Title V Significant Permit Modification.

As discussed above, the facility has applied for a Certificate of Conformity (COC); therefore, the facility must apply to modify their Title V permit with an administrative amendment, prior to operating with the proposed modifications. Continued compliance with this rule is expected. The facility shall not implement the changes requested until the final permit is issued.

Therefore, the following conditions will be included on ATC C-72-6-4 to ensure compliance:

- {1830} This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201]
- {1831} Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4]

Rule 4001 New Source Performance Standards (NSPS)

This rule incorporates NSPS from Part 60, Chapter 1, Title 40, Code of Federal Regulations (CFR); and applies to all new sources of air pollution and modifications of existing sources of air pollution listed in 40 CFR Part 60. However, no subparts of 40 CFR Part 60 apply to gasoline dispensing operations.

Rule 4002 National Emission Standards for Hazardous Air Pollutants (NESHAPs)

This rule incorporates NESHAPs from Part 61, Chapter I, Subchapter C, Title 40, CFR and the NESHAPs from Part 63, Chapter I, Subchapter C, Title 40, CFR; and applies to all sources of hazardous air pollution listed in 40 CFR Part 61 or 40 CFR Part 63. However, no subparts of 40 CFR Part 61 or 40 CFR Part 63 apply to gasoline dispensing operations.

Rule 4102 Nuisance

Rule 4102 prohibits discharge of air contaminants which could cause injury, detriment, nuisance or annoyance to the public. Public nuisance conditions are not expected as a result of these operations, provided the equipment is well maintained. Therefore, compliance with this rule is expected. The following condition is included on the facility-wide permit, C-72-0 and ensures continued compliance.

- {98} No air contaminant shall be released into the atmosphere which causes a public nuisance. [District Rule 4102]

California Health & Safety Code 41700 (Health Risk Assessment)

District Policy APR 1905 – *Risk Management Policy for Permitting New and Modified Sources* specifies that for an increase in emissions associated with a proposed new source or modification, the District perform an analysis to determine the possible impact to the nearest resident or worksite.

As demonstrated above, there are no increases in emissions associated with this project; therefore, a health risk assessment is not necessary and no further risk analysis is required.

Rule 4621 Gasoline Transfer into Stationary Storage Containers, Delivery Vessels, and Bulk Plants

The purpose of this rule is to limit VOC emissions from stationary storage containers, delivery vessels, and bulk plants and to provide the administrative requirements for determining compliance with this rule. This rule applies to storage containers located at bulk plants with capacities greater than 250 gallons and less than 19,800 gallons; to other stationary storage containers with capacities greater than 250 gallons; and to those storage containers that are not subject to the control requirements of Rule 4623 (Storage of Organic Liquids) Section 5.0. The rule also applies to gasoline delivery vessels.

Section 3.30 defines a retail gasoline outlet as an establishment at which gasoline is sold or offered for sale to the general public for use in motor vehicles. This operation is not a retail gasoline outlet; therefore, the following condition will be included on the permit to ensure compliance with this requirement:

- {4755} This gasoline storage and dispensing equipment shall not be used in retail sales, where gasoline dispensed by the unit is subject to payment of California sales tax on gasoline sales. [District Rule 4621]

Section 5.1 states "loading equipment and vapor collection equipment shall be installed, maintained, and operated such that it is leak-free, with no excess organic liquid drainage at disconnect."

Section 3.19.2 defines a leak as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a

concentration or total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with the test method in Section 6.4.2. Any liquid or gas coming from a component undergoing repair or replacement, or during sampling of process fluid from a component or equipment into a container is not considered sampling of a leak provided such activities are accomplished as expeditiously as possible and with minimal spillage of material and VOC emissions to the atmosphere.

The following conditions will be included on the permit to ensure compliance with these requirements:

- {3911} The Phase I vapor recovery systems and gasoline dispensing equipment shall be maintained without leaks as determined in accordance with the test method specified in this permit. [District Rule 4621]
- {3912} A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration of total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rule 4621]

Section 5.2.1 states "no person shall transfer, or permit the transfer, of gasoline from any delivery vessel into any stationary storage container subject to the requirements of this rule unless such container is equipped with an ARB-certified permanent submerged fill pipe and utilizes an ARB-certified Phase I vapor recovery system that is maintained and operated according to manufacturer specifications and the applicable ARB Executive Order." Since the storage tank is currently-equipped with an ARB-certified Phase I vapor recovery system and permanent submerged fill pipe, the requirements of this section are satisfied and compliance is expected.

In addition, ARB has the additional certification requirements, including applicable rules and regulations of the Division of Measurement Standards, the Department of Food and Agriculture, the Office of the State Fire Marshal, the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health, the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification.

The following condition will be included on the permit to ensure compliance with this requirement:

- {3976} The Phase I vapor recovery system shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Order specified in this permit, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. [District Rule 4621]

Section 5.4.1 states "all aboveground storage containers shall be constructed and maintained in a leak-free condition." The following condition will be included on the permit to ensure compliance with this requirement:

- {3980} The storage container shall be installed, maintained, and operated such that it is leak-free. [District Rule 4621]

Section 5.4.4 states "operators of an aboveground storage container not located at a bulk plant shall conduct and pass the performance test specified in Sections 6.4.8 to determine compliance at least once every 36 months, (no more than 30 days before or after the required performance test date) unless otherwise required under ARB Executive Order." Section 6.4.8 specifies the "Static Leak Test for Aboveground Tanks" using ARB Test Procedure TP-206.3 or ARB Test Procedure TP-201.3B as applicable.

The following conditions will be included on the permit to ensure compliance with this requirement:

- {3927} The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rule 4621]
- {4020} The permittee shall perform and pass a Static Leak Test for Aboveground Tanks using ARB TP-201.3B or TP-206.3 within 60 days after initial start-up and at least once every 36 months thereafter. [District Rule 4621]

Section 5.5 states "All Phase I vapor recovery systems shall be inspected according to the frequency specified in Table 1. The person conducting the inspections shall, at a minimum, verify that the fill caps and vapor caps are not missing, damaged, or loose, that the fill cap gasket and vapor cap gaskets are not missing or damaged, that the fill adapter and vapor adapter are securely attached to the risers, that, where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing, and the dry break (poppet-valve) is not missing or damaged and that the submerged fill tube is not missing or damaged." The following conditions will be included on the permit to ensure compliance with these requirements:

- {3922} The permittee shall conduct periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. All inspections shall be documented within the O & M Manual. [District Rule 4621]
- {3924} Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621]

Section 5.7.2 states “no person shall operate, or allow the operation of a delivery vessel unless valid State of California decals which attest to the vapor integrity of the container are displayed.” The following condition will be included on the permit to ensure compliance with this requirement:

- {3915} No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621]

Section 6.1.4 states “all records required to demonstrate compliance with the requirements of this rule shall be retained on the premises for a minimum of five years and made available on site during normal business hours to the APCO, ARB, or EPA, and submitted to the APCO, ARB, or EPA upon request.” The following conditions will be included on the permit to ensure compliance with these requirements:

- {modified 4738} The permittee shall maintain daily and annual gasoline throughput records. The records shall calculate the gasoline throughput on a rolling 30-day period and a rolling 12-month period and shall be maintained on the premises as long as Phase II EVR exempt status is claimed. [District Rules 2201, 4621, and 4622]
- {3973} All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for made available for District inspection upon request. [District Rule 4621]

Section 6.2.4 states “Operators shall notify the District at least seven days prior to any performance testing.” Section 6.2.5 states “Operators shall submit all performance test results to the District within 30 days of test completion.” The following condition will be included on the permit to ensure compliance with these requirements:

- {3968} The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621]

Section 6.3.1 states “Installation and maintenance contractors shall be certified by the ICC for Vapor Recovery System Installation and Repair (VI) and make available onsite proof of ICC certification for VI, and have and make available on site proof of any and all certifications required by the applicable ARB Executive Order and installation and operation manual in order to install or maintain specific systems, or work under the direct and personal supervision of an individual physically present at the work site who possesses and makes available onsite a current certificate from the ICC, indicating he or she has passed the VI exam and all certifications required by the applicable ARB Executive Order.” Section 6.3.2 states “All ICC certifications shall be renewed every 24 months by passing the appropriate exam specific to the certification being sought.” The following condition will be included on the permit to ensure compliance with this requirement:

- {4013} A person performing installation of, or maintenance on, a certified Phase I vapor recovery system shall be certified by the ICC for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. The ICC certification shall be renewed every 24 months. [District Rule 4621]
- {4015} Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rule 4621]

Section 6.3.3 states "Gasoline Dispensing Facility Testers wishing to conduct vapor recovery system testing and repair at facilities located within the District, shall be in full compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification)." The following condition will be included on the permit to ensure compliance with these requirements:

- {4006} A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rule 4621]

In addition, the following conditions will be included on the permit to ensure compliance with the record keeping requirements as stated in the executive order:

- {4192} Only white paint, listed in the Executive Order specified in this permit for the Standing Loss Control System, shall be applied to the tank. The surface of the tank shall be prepared and the white paint shall be applied per manufacturer's specifications. [District Rule 4621]
- {modified 4193} The permittee shall maintain the following records: 1) sales receipt that lists the date and quantity of white paint purchased; 2) name of the person applying the white paint; 3) date of application; 4) surface preparation description (i.e. scraping, sanding, abrasive blasting, primer, etc.); 5) method of application (i.e. brush, roller, air/airless sprayer); 6) average ambient air temperature (degrees F) during the application; 7) observed atmospheric conditions during the application (i.e. sunny, cloudy, raining, etc.); 8) name of the person that installed the P/V vent valve; and 9) the Technical Data Sheet and/or Material Safety Data Sheet for the white paint that describes the surface preparation, application and safety requirements for the white paint. [District Rule 4621]

Compliance with the requirements of this rule is expected. Conditions will be included on the permit as shown to ensure continued compliance.

Rule 4622 Transfer of Gasoline into Vehicle Fuel Tanks

The purpose of this rule is to limit emissions of gasoline vapors from the transfer of gasoline into motor vehicle fuel tanks. This rule applies to any gasoline storage and dispensing operation or mobile fueler from which gasoline is transferred into motor vehicle fuel tanks, except as provided in Section 4.0.

Section 4.1 states "except for the provisions of Section 6.1.1 and 6.1.2, requirements of this rule shall not apply to the transfer of gasoline into motor vehicle fuel tanks from any existing storage container, as defined in this rule, with an aggregate dispensing operation throughput of:

- 4.1.1 less than or equal to 24,000 gallons per calendar year; and
- 4.1.2 less than or equal to 10,000 gallons in any consecutive 30-day period.
- 4.1.3 Any facility which exceeds the throughput limitations under Section 4.1.1 or 4.1.2 shall be subject to all provisions of this rule on and after the date the throughput limitations were exceeded and shall be in compliance according to the schedule in Section 7.1."

Section 3.11 defines an "Existing Storage Container" as a gasoline storage container which was in existence on or before May 21, 1992.

Section 6.1.1 states that gasoline dispensing operations that are exempt under Section 4.1 shall maintain gasoline throughput records which will allow the gasoline throughput for any 30-day period to be continuously determined. These records shall be maintained on the premises as long as exempt status is claimed.

Section 6.1.2 states that any gasoline dispensing operation previously exempt under Section 4.1 whose gasoline throughput exceeds the exemption levels in Sections 4.1.1 and 4.1.2 shall notify the District within 30 days of the date of exceeding the exemption levels.

This gasoline dispensing operation is exempt from the requirements of District Rule 4622 per section 4.1; therefore, the requirements of this rule, except for section 6.1. and 6.1.2, do not apply. The following conditions will be included on the permit to ensure compliance with the requirements of this rule:

- {modified 4251} Total gasoline throughput for this operation shall not exceed the following: 10,000 gallons in any consecutive 30-day period and 18,000 gallons per rolling 12-month period. If the gasoline throughput exceeds stated limits, the permittee shall submit a complete application for an Authority to Construct (ATC) to the District within 30 days of the loss of exemption and shall install and test a certified Phase II vapor recovery system within six (6) months from the date the ATC is issued. [District Rules 2201, 4621, and 4622]
- {modified 4738} The permittee shall maintain daily and annual gasoline throughput records. The records shall calculate the gasoline throughput on a rolling 30-day period

and a rolling 12-month period and shall be maintained on the premises as long as Phase II EVR exempt status is claimed. [District Rules 2201, 4621, and 4622]

Compliance with the requirements of this rule is expected. Conditions will be included on the permit as shown to ensure continued compliance.

California Health & Safety Code 42301.6 (School Notice)

The District has verified that this site is not located within 1,000 feet of a school. Therefore, pursuant to California Health and Safety Code 42301.6, a school notice is not required.

California Environmental Quality Act (CEQA)

CEQA requires each public agency to adopt objectives, criteria, and specific procedures consistent with CEQA Statutes and the CEQA Guidelines for administering its responsibilities under CEQA, including the orderly evaluation of projects and preparation of environmental documents. The District adopted its *Environmental Review Guidelines* (ERG) in 2001. The basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities;
- Identify the ways that environmental damage can be avoided or significantly reduced;
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

The District performed an Engineering Evaluation (this document) for the proposed project and determined that the project specific emissions unit does not trigger Best Available Control Technology (BACT) and does not trigger Toxic Best Available Control Technology (T-BACT) requirements.

Issuance of permits for emissions units not subject to BACT or T-BACT requirements is a matter of ensuring conformity with applicable District rules and regulations and does not require discretionary judgment or deliberation. Thus, the District concludes that this permitting action constitutes a ministerial approval. Section 21080 of the Public Resources Code exempts from the application of CEQA those projects over which a public agency exercises only ministerial approval. Therefore, the District finds that this project is exempt from the provisions of CEQA.

Indemnification Agreement/Letter of Credit Determination

According to District Policy APR 2010 (CEQA Implementation Policy), when the District is the Lead or Responsible Agency for CEQA purposes, an indemnification agreement and/or a letter of credit may be required. The decision to require an indemnity agreement and/or a letter of credit is based on a case-by-case analysis of a particular project's potential for litigation risk,

which in turn may be based on a project's potential to generate public concern, its potential for significant impacts, and the project proponent's ability to pay for the costs of litigation without a letter of credit, among other factors.

The proposed project requires only ministerial approval and is exempt from the provisions of CEQA. As such, an Indemnification Agreement and/or a Letter of Credit will not be required for this project in the absence of expressed public concern.

IX. Recommendation

Compliance with all applicable rules and regulations is expected. Pending a successful NSR public noticing period and EPA noticing period, issue ATC C-72-6-4 subject to the permit conditions on the attached draft ATC in Appendix B.

X. Billing Information

Annual Permit Fees			
Permit Number	Fee Schedule	Fee Description	Annual Fee
C-72-6-4	3020-11-A	1 nozzle	\$36

Appendices

- A: Current PTO
- B: Draft ATC
- C: SSPE1 Calculations
- D: ARB Regulatory Advisory
- E: Compliance Certification

Attachments

- I. Emissions Profile

APPENDIX A
Current PTO

San Joaquin Valley Air Pollution Control District

PERMIT UNIT: C-72-6-3

EXPIRATION DATE: 06/30/2019

EQUIPMENT DESCRIPTION:

GASOLINE DISPENSING OPERATION WITH ONE 1,000 GALLON ABOVEGROUND STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-142-A), AND 1 FUELING POINT WITH PHASE II EXEMPT GASOLINE DISPENSING NOZZLE

PERMIT UNIT REQUIREMENTS

1. The Phase I vapor recovery system shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Order specified in this permit, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. [District Rule 4621] Federally Enforceable Through Title V Permit
2. This gasoline storage and dispensing equipment shall not be used in retail sales, where gasoline dispensed by the unit is subject to payment of California sales tax on gasoline sales. [District Rule 4621] Federally Enforceable Through Title V Permit
3. The storage container(s) shall be installed, maintained, and operated such that they are leak-free. [District Rule 4621] Federally Enforceable Through Title V Permit
4. The Phase I vapor recovery systems and gasoline dispensing equipment shall be maintained without leaks as determined in accordance with the test method specified in this permit. [District Rule 4621] Federally Enforceable Through Title V Permit
5. A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration of total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rule 4621] Federally Enforceable Through Title V Permit
6. No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621] Federally Enforceable Through Title V Permit
7. The permittee shall conduct periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. All inspections shall be documented within the O & M Manual. [District Rule 4621] Federally Enforceable Through Title V Permit
8. Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621] Federally Enforceable Through Title V Permit

PERMIT UNIT REQUIREMENTS CONTINUE ON NEXT PAGE

These terms and conditions are part of the Facility-wide Permit to Operate.

9. The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rule 4621] Federally Enforceable Through Title V Permit
10. The permittee shall perform and pass a Static Leak Test for Aboveground Tanks using ARB TP-201.3B or TP-206.3 at least once every 36 months. [District Rule 4621] Federally Enforceable Through Title V Permit
11. The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621] Federally Enforceable Through Title V Permit
12. A person performing installation of, or maintenance on, a certified Phase I vapor recovery system shall be certified by the ICC for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. The ICC certification shall be renewed every 24 months. [District Rule 4621] Federally Enforceable Through Title V Permit
13. Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rule 4621] Federally Enforceable Through Title V Permit
14. A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rule 4621] Federally Enforceable Through Title V Permit
15. Total gasoline throughput for the facility shall not exceed either of the following: 10,000 gallons in any consecutive 30-day period or 24,000 gallons per calendar year. If throughput exceeds stated limits, the permittee shall submit a complete application for an Authority to Construct (ATC) to the District within 30 days of the loss of exemption and install and test a certified Phase II vapor recovery system within six (6) months from the date the ATC is issued. [District Rule 4622] Federally Enforceable Through Title V Permit
16. The permittee shall maintain monthly and annual gasoline throughput records. The records should allow the gasoline throughput for any 30-day period to be continuously determined. These records shall be maintained on the premises as long as exempt status is claimed. [District Rules 4621 and 4622] Federally Enforceable Through Title V Permit
17. All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for District inspection upon request. [District Rule 4621] Federally Enforceable Through Title V Permit

These terms and conditions are part of the Facility-wide Permit to Operate.

APPENDIX B
Draft ATC

San Joaquin Valley
Air Pollution Control District

AUTHORITY TO CONSTRUCT

ISSUANCE DATE: DRAFT
DRAFT

PERMIT NO: C-72-6-4

LEGAL OWNER OR OPERATOR: BAKER COMMODITIES, INC
MAILING ADDRESS: PO BOX 416
KERMAN, CA 93630

LOCATION: 16801 W JENSEN AVE
KERMAN, CA 93630

EQUIPMENT DESCRIPTION:

MODIFICATION OF GASOLINE DISPENSING OPERATION WITH ONE 1,000 GALLON ABOVEGROUND STORAGE TANK SERVED BY TWO-POINT PHASE I VAPOR RECOVERY SYSTEM (G-70-142-A), AND 1 FUELING POINT WITH PHASE II EXEMPT GASOLINE DISPENSING NOZZLE: REVISE THE EQUIPMENT DESCRIPTION TO INCLUDE STANDING LOSS CONTROL (SLC) AND LIMIT ANNUAL GASOLINE THROUGHPUT TO NOT EXCEED 18,000 GALLONS

CONDITIONS

1. {1830} This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201] Federally Enforceable Through Title V Permit
2. {1831} Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. The Phase I vapor recovery system shall be installed and maintained in accordance with the manufacturer specifications and the ARB Executive Order specified in this permit, including applicable rules and regulations of the Division of Measurement Standards of the Department of Food and Agriculture, the Office of the State Fire Marshal of the Department of Forestry and Fire Protection, the Division of Occupational Safety and Health of the Department of Industrial Relations, and the Division of Water Quality of the State Water Resources Control Board that have been made conditions of the certification. [District Rule 4621] Federally Enforceable Through Title V Permit
4. This gasoline storage and dispensing equipment shall not be used in retail sales, where gasoline dispensed by the unit is subject to payment of California sales tax on gasoline sales. [District Rule 4621] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (559) 230-5950 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APCO

DRAFT

Arnaud Marjolle, Director of Permit Services

C-72-6-4 - Jun 8 2016 8:34AM - GILLESB - Joint Inspection NOT Required

5. The storage container shall be installed, maintained, and operated such that it is leak-free. [District Rule 4621] Federally Enforceable Through Title V Permit
6. Only white paint, listed in the Executive Order specified in this permit for the Standing Loss Control System, shall be applied to the tank. The surface of the tank shall be prepared and the white paint shall be applied per manufacturer's specification. [District Rule 4621] Federally Enforceable Through Title V Permit
7. The permittee shall maintain the following records: 1) receipt of sale that demonstrates the purchase date and amount of white paint purchased, 2) record of the name of personnel applying white paint to include the date of application, surface preparation description (i.e. scraping, sanding, abrasive blasting, primer etc.), method of application (i.e. brush, roller, air/airless sprayer), average ambient temperature (degrees F) during application, and atmospheric observations during application (i.e. sunny, cloudy, rain, etc.), 3) record of the name of personnel that installed the P/V vent valve, and 4) Technical Data Sheet and/or Material Safety Data Sheet of the white paint that describes the surface preparation, application, and material safety of the white paint. [District Rule 4621] Federally Enforceable Through Title V Permit
8. The Phase I vapor recovery systems and gasoline dispensing equipment shall be maintained without leaks as determined in accordance with the test method specified in this permit. [District Rule 4621] Federally Enforceable Through Title V Permit
9. A leak is defined as the dripping of VOC-containing liquid at a rate of more than three (3) drops per minute, or the detection of any gaseous or vapor emissions with a concentration of total organic compound greater than 10,000 ppmv, as methane, above background when measured in accordance with EPA Test Method 21. [District Rule 4621] Federally Enforceable Through Title V Permit
10. No gasoline delivery vessel shall be operated or be allowed to operate unless valid State of California decals are displayed on the cargo container, which attest to the vapor integrity of the container. [District Rule 4621] Federally Enforceable Through Title V Permit
11. The permittee shall conduct periodic maintenance inspections based on the greatest monthly throughput of gasoline dispensed by the facility in the previous year as follows: A) less than 2,500 gallons - one day per month; B) 2,500 to less than 25,000 gallons - one day per week; or C) 25,000 gallons or greater - five days per week. All inspections shall be documented within the O & M Manual. [District Rule 4621] Federally Enforceable Through Title V Permit
12. Periodic maintenance inspections of the Phase I vapor recovery system shall include, at a minimum, verification that 1) the fill caps and vapor caps are not missing, damaged, or loose; 2) the fill cap gasket and vapor cap gaskets are not missing or damaged; 3) the fill adapter and vapor adapter are securely attached to the risers; 4) where applicable, the spring-loaded submerged fill tube seals properly against the coaxial tubing; 5) the dry break (poppet-valve) is not missing or damaged; and 6) the submerged fill tube is not missing or damaged. [District Rule 4621] Federally Enforceable Through Title V Permit
13. The permittee shall conduct all periodic vapor recovery system performance tests specified in this permit, no more than 30 days before or after the required compliance testing date, unless otherwise required under the applicable ARB Executive Order. [District Rule 4621] Federally Enforceable Through Title V Permit
14. The permittee shall perform and pass a Static Leak Test for Aboveground Tanks using ARB TP-201.3B or TP-206.3 at least once every 36 months. [District Rule 4621] Federally Enforceable Through Title V Permit
15. The permittee shall notify the District at least 7 days prior to each performance test. The test results shall be submitted to the District no later than 30 days after the completion of each test. [District Rule 4621] Federally Enforceable Through Title V Permit
16. A person performing installation of, or maintenance on, a certified Phase I vapor recovery system shall be certified by the ICC for Vapor Recovery System Installation and Repair, or work under the direct and personal supervision of an individual physically present at the work site who is certified. The ICC certification shall be renewed every 24 months. [District Rule 4621] Federally Enforceable Through Title V Permit
17. Proof of the ICC certification and all other certifications required by the Executive Order and installation and operation manual shall be made available onsite. [District Rule 4621] Federally Enforceable Through Title V Permit

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CONDITIONS CONTINUE ON NEXT PAGE

18. A person conducting testing of, or repairs to, a certified vapor recovery system shall be in compliance with District Rule 1177 (Gasoline Dispensing Facility Tester Certification). [District Rule 4621] Federally Enforceable Through Title V Permit
19. The total gasoline throughput for this operation shall not exceed 1,000 gallons per day. [District Rule 2201] Federally Enforceable Through Title V Permit
20. Total gasoline throughput for this operation shall not exceed the following: 10,000 gallons in any consecutive 30-day period and 18,000 gallons per rolling 12-month period. If the gasoline throughput exceeds the stated limits, the permittee shall submit a complete application for an Authority to Construct (ATC) to the District within 30 days of the loss of exemption and shall install and test a certified Phase II vapor recovery system within six (6) months from the date the ATC is issued. [District Rules 2201, 4621, and 4622] Federally Enforceable Through Title V Permit
21. The permittee shall maintain daily and annual gasoline throughput records. The records shall calculate the gasoline throughput on a rolling 30-day period and a rolling 12-month period and shall be maintained on the premises as long as Phase II EVR exempt status is claimed. [District Rules 2201, 4621, and 4622] Federally Enforceable Through Title V Permit
22. All records required by this permit shall be retained on-site for a period of at least five years and shall be made available for District inspection upon request. [District Rule 4621] Federally Enforceable Through Title V Permit

DRAFT

APPENDIX C
SSPE1 Calculation

Pre-Project Stationary Source Potential to Emit (SSPE1) Calculation

Pursuant to District Rule 2201, the SSPE1 is the Potential to Emit (PE) from all units with valid Authorities to Construct (ATC) or Permits to Operate (PTO) at the Stationary Source and the quantity of Emission Reduction Credits (ERC) which have been banked since September 19, 1991 for Actual Emissions Reductions (AER) that have occurred at the source, and which have not been used on-site.

SSPE1 is calculated in the following table. Since this project is a VOC-only project, only the VOC SSPE1 is calculated.

SSPE1 (lb/year)		
Permit Unit	VOC	Source
C-72-1-5 ³	0	C-1061086
C-72-3-13	1,314	C-1152390
C-72-6-3	223	Section VII.C.1
C-72-7-10	1,903	Calculation shown below
C-72-8-6	1,168	Calculation shown below
C-72-9-5	0	C-1061086
C-72-10-0	1	C-1150031
SSPE1	4,609	

Unit C-72-7

Equipment Description

C-72-7-10 39.5 MMBTU/HR ERIE CITY IRON WORKS MODEL 95355 NATURAL GAS OR YELLOW GREASE-FIRED BOILER WITH A TODD MODEL RMB ULTRA LOW NOX BURNER AND FORCED DRAFT FLUE GAS RECIRCULATION SYSTEM

Assumptions

- Unit may operate 24 hours per day and 365 days per year; and
- Unit is fired solely on natural gas (see Emission Control Plan (ECP) submitted under project C-1100065).

Emission Factor

EF = 0.0055 lb-VOC/MMBtu (current PTO limit)

Calculation

Annual PE = EF, lb/MMBtu × Burner Rating, MMBtu/hr × Operating Schedule, hr/year
 = 0.0055 lb-VOC/MMBtu × 39.5 MMBtu/hr × 8,760 hr/year
 = 1,903 lb-VOC/year

³As outlined in District project C-1061086, there are no criteria pollutant emissions from the animal matter receiving operation. This operation is permitted for nuisance purposes and criteria pollutant emissions are equal to 0 lb/year.

Unit C-72-8

Equipment Description

C-72-8-6 37.8 MMBTU/HR HURST MODEL SERIES 500 NATURAL GAS/YELLOW GREASE-FIRED BOILER EQUIPPED WITH JOHN ZINC/GORDON PIATT ULTRA LOW-NOX BURNER MODEL RMB-GO-90-E2-30-F9H WITH FORCED FGR

Assumptions

- Unit is fired solely on natural gas (see Emission Control Plan (ECP) submitted under project C-1100065); and
- Unit may operate 365 days per year.

Calculation

Daily PE = 3.2 lb-VOC/day (current PTO limit)

Annual PE = Daily PE, lb-VOC/day × 365 day/year
= 3.2 lb-VOC/day × 365 day/year
= 1,168 lb-VOC/year

APPENDIX D
ARB Regulatory Advisory (2/28/2014)

Regulatory Advisory

February 28, 2014



Flexibility Provided to Owners and Operators of Aboveground Gasoline Storage Tanks (AST) Subject to 2008 AST Vapor Recovery Regulation

In November 2014, the California Air Resources Board (ARB or Board) will consider amendments to Enhanced Vapor Recovery (EVR) requirements for aboveground storage tanks (ASTs) storing gasoline, with the goal of improving cost effectiveness of the regulation while preserving its air quality benefits. This advisory describes circumstances in which AST owners and operators may be able to avoid unnecessary expenses when it is not cost-effective to upgrade vapor recovery equipment on existing ASTs. **Owners/operators are encouraged to contact their local air district to determine applicable requirements for their AST, as current district rules may require the use of SLC, Phase I, and/or Phase II systems on ASTs.**

Background:

In 2008, the Board adopted statewide Enhanced Vapor Recovery (EVR) standards¹ to reduce air pollution from AST. Pursuant to provisions in Health and Safety Code section 41956.1 owners and operators of AST are required to install EVR equipment to reduce the emission of gasoline vapors caused by daily changes in ambient temperature and exposure to sunlight (Standing Loss Control, or SLC) as well as vapors that are emitted during the transfer of gasoline from the cargo tanker to the AST (Phase I) and then from the AST to the motor vehicle (Phase II). Under the statewide regulation, *new* AST have been required to have SLC equipment since April 1, 2009 and Phase I equipment since July 1, 2010. For *existing* AST located in state ozone non-attainment areas, SLC has been required since April 1, 2013 and Phase I equipment is required by July 1, 2014. Installation deadlines for Phase II equipment have not yet been established due to a lack of certified equipment.

Based on recent analysis, ARB has determined that in some situations the costs associated with implementation of Phase I equipment are higher than originally anticipated, particularly for AST with low gasoline throughput which are in many cases located in rural areas. To allow for more cost-effective implementation of AST EVR requirements, ARB staff will ask the Board at a public hearing scheduled for November 2014 to consider regulatory amendments that would exempt certain ASTs from compliance with SLC and Phase I requirements. In the interim, to ensure that owners/operators do not unnecessarily expend funds to upgrade ASTs that could ultimately be exempt under the amendments that ARB staff will be proposing, ARB will request the air districts to not enforce the July 1, 2014 compliance deadline for those AST owners/operators who may not be required to comply under the **9 STEP PROCESS** laid out in this Regulatory Advisory.

Anticipated Regulatory Changes:

Please be advised that while ARB staff anticipates proposing amendments similar to this Regulatory Advisory at the Board's regularly scheduled November 2014 meeting, the changes will not be finalized until adopted by the Board. As such, the final scope and applicability of the amendments may change as ARB staff assesses the emission, risk, and economic impacts and conducts public workshops at various locations throughout the State. In the event that the final adopted amendments differ from those identified above, AST owners/operators will be provided additional time to come into compliance with the regulation. The compliance timeline will be specified in the adopted amendments.

¹ Title 17, California Code of Regulations, Section 94016

Step 1

- Is the capacity of your AST **250 gallons or more**?
- If yes, proceed to Step 2.
- If no, **STOP**, under the terms of this Regulatory Advisory your AST is exempt and is not subject to SLC, Phase I or II EVR. Check with your Air District for local requirements.

Step 2

- Is your existing AST subject to an **agricultural operation** exemption by Air District rule?
- If yes, your AST is exempt from SLC, Phase I and II. Check with your Air District to verify.
- If no, proceed to Step 3.

Step 3

- Is your AST located within **50 feet of a residence, school, day care center, or healthcare facility**?
- If yes, **STOP**, your AST is located near a sensitive receptor. Contact your local Air District for applicable requirements.
- If no, proceed to Step 4.

Step 4

- Is your AST a **new installation or an existing installation**?
- If new, **STOP**, your AST is required to comply with SLC, Phase I EVR, and Pre-EVR Phase II requirements.
- If existing, proceed to Step 5.

Step 5

- Is your existing AST located in one of the **Air Districts identified in Table 1** of this advisory?
- If yes, **STOP**, under the terms of this Regulatory Advisory your AST is exempt and is not subject to EVR requirements. Check with your Air District for local requirements.
- If no, proceed to Step 6.

Step 6

- Is your existing AST located in the **South Coast AQMD or San Diego APCD**?
- If yes, **STOP**, your AST is required to comply with SLC and Phase I EVR requirements
- If no, proceed to Step 7.

Step 7

- Is the annual gasoline throughput of your existing AST **greater than 18,000 gallons**?
- If no, **STOP**, under the terms of this regulatory Advisory your AST is required to install SLC but is exempt from Phase I EVR requirements. Check with your Air District for local requirements.
- If yes, proceed to Step 8.

(9 STEP PROCESS Continued on Next Page)

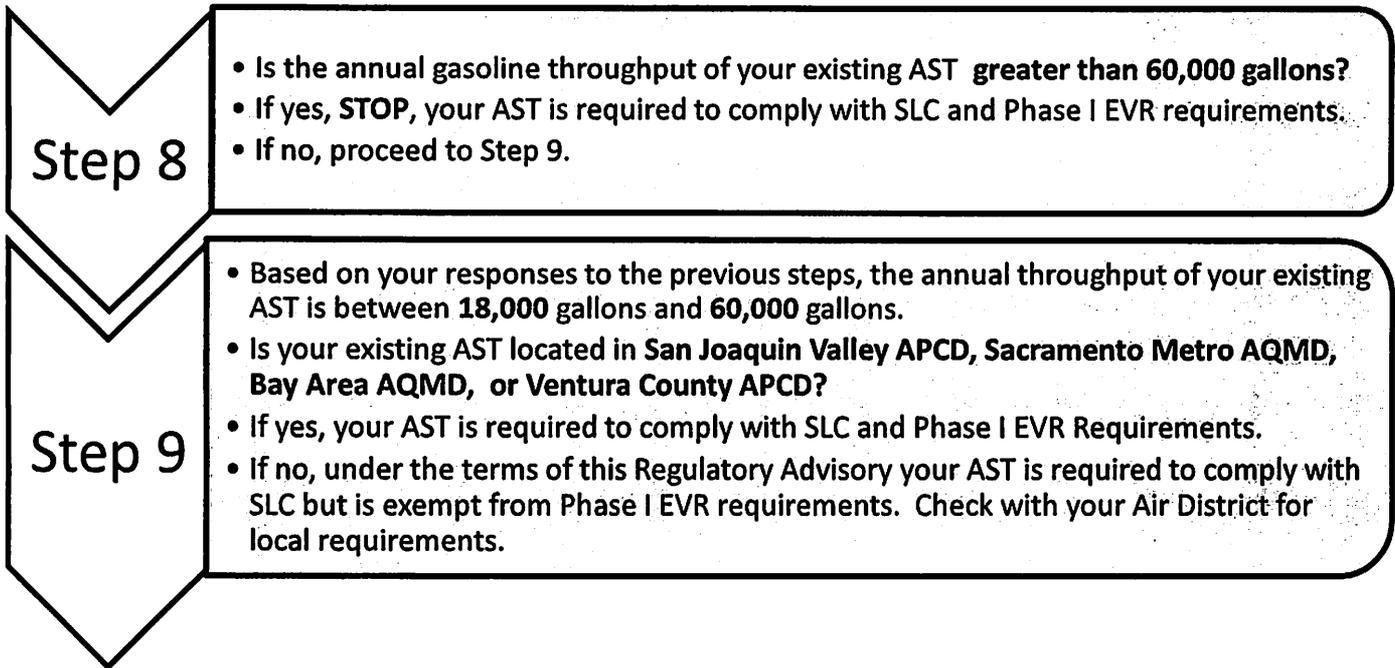


Table 1: Air Districts Which Are Exempted from EVR Requirements for AST:

Air District²		
Amador County APCD	Colusa County APCD	Glenn County APCD
Great Basin Unified APCD	Lake County AQMD	Lassen County APCD
Mendocino County AQMD	Modoc County APCD	Monterey Bay Unified APCD
North Coast Unified AQMD	Northern Sierra AQMD	Northern Sonoma County APCD
Shasta County APCD	Siskiyou County APCD	
Tehama County APCD	Tuolumne County APCD	

Contact Information:

For further information about AST vapor recovery requirements, sensitive receptors, exemptions for agricultural operations, and how to calculate annual throughput, please contact your local Air District. Air District contact information is available at <http://www.arb.ca.gov/vapor/EVRDistrictContacts2012.pdf>.

For further information about ARB's Enhanced Vapor Recovery program for aboveground gasoline storage tanks, please visit <http://www.arb.ca.gov/vapor/vapor.htm> or call 916-327-0900.

² A map of California's air districts is available at <http://www.arb.ca.gov/capcoa/dismap.htm>

APPENDIX E
Compliance Certification



San Joaquin Valley Unified Air Pollution Control District



TITLE V MODIFICATION - COMPLIANCE CERTIFICATION FORM

I. TYPE OF PERMIT ACTION (Check appropriate box)

- SIGNIFICANT PERMIT MODIFICATION ADMINISTRATIVE
 MINOR PERMIT MODIFICATION AMENDMENT

COMPANY NAME: Baker Commodities, Inc.	FACILITY ID: C - 72
1. Type of Organization: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Government <input type="checkbox"/> Partnership <input type="checkbox"/> Utility	
2. Owner's Name: Baker Commodities, Inc.	
3. Agent to the Owner: Steve Dessauer	

II. COMPLIANCE CERTIFICATION (Read each statement carefully and initial all circles for confirmation):

- Based on information and belief formed after reasonable inquiry, the equipment identified in this application will continue to comply with the applicable federal requirement(s).
- Based on information and belief formed after reasonable inquiry, the equipment identified in this application will comply with applicable federal requirement(s) that will become effective during the permit term, on a timely basis.
- Corrected information will be provided to the District when I become aware that incorrect or incomplete information has been submitted.
- Based on information and belief formed after reasonable inquiry, information and statements in the submitted application package, including all accompanying reports, and required certifications are true accurate and complete.

I declare, under penalty of perjury under the laws of the state of California, that the forgoing is correct and true:

Steve Dessauer

Signature of Responsible Official

8/14/15

Date

Steve Dessauer

Name of Responsible Official (please print)

Asst. Division Manager/Plant Manager

Title of Responsible Official (please print)