



GROUP AGAINST SMOG & POLLUTION

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June 19, 2017

VIA EMAIL (mhochhause@pa.gov and robernovak@pa.gov)

Mr. Martin L. Hochhauser, P.E.

Mr. Robert Novak

Pennsylvania Department of Environmental Protection

400 Waterfront Drive

Pittsburgh, PA 15222

Re: Comments of Group Against Smog and Pollution Regarding Proposed Title V Operating Permit for Sunoco Partners Marketing & Terminals, L.P. Delmont Terminal (the "Facility") (#65-00354) (the "Permit")

Dear Mr. Hochhauser and Mr. Novak:

Please accept these comments regarding the draft Title V Operating Permit referenced above, which I am submitting on behalf of the Group Against Smog and Pollution. According to the notice published in the Pennsylvania Bulletin on May 20, 2017, the Department is accepting comments on the draft Permit through June 19, 2017.

My address and telephone number are provided above.

Very truly yours,

/s

John K. Baillie

**COMMENTS OF THE GROUP AGAINST SMOG AND POLLUTION REGARDING
THE DRAFT TITLE V OPERATING PERMIT FOR SUNOCO PARTNERS
MARKETING & TERMINALS, L.P. DELMONT TERMINAL (# 65-00354)**

I. THE PERMIT MUST REQUIRE MONITORING AND REPORTING THAT IS SUFFICIENT TO ASSURE COMPLIANCE WITH THE OTHER TERMS AND CONDITIONS OF THE PERMIT

A Title V Operating Permit must include testing, monitoring, and reporting requirements “sufficient to assure compliance with the terms and conditions of the permit.”¹ “[I]f there is some periodic monitoring in the applicable requirement, but that monitoring is not sufficient to assure compliance with permit terms and conditions, permitting authorities must supplement monitoring to assure such compliance.”² Accordingly, a Title V Operating Permit that establishes emission limits must include monitoring requirements to assure compliance with those limits.³

As explained in the following paragraphs, the Permit does not specify the monitoring that is to be used to ensure the Facility’s compliance with several of the Permit’s limitations and requirements.

A. The Permit Must Require Monitoring, Recordkeeping, and Reporting Sufficient to Assure Compliance with Limits on the Opacity of Emissions from the Facility’s Vapor Recovery Unit

Sections D.101 #001 and D.102 #001 of the Permit limit the opacity of emissions from the Facility’s Vapor Recovery Unit (the “VRU”), but the Permit does not specify how, or how frequently, the opacity of such emissions is to be monitored, or how the results of such

¹ 40 C.F.R. § 70.6(c)(1); *cf.* 25 Pa. Code § 127.441(c) (operating permit shall contain “requirements related to monitoring, recordkeeping and reporting required by the Clean Air Act and the regulations thereunder”).

² *In the Matter of CITGO Ref. and Chems. Co.*, Petition V1-2007-01 (May 28, 2009), at 6-7, quoted by *In the Matter of Luke Paper Co.*, 2010 EPA CAA Title V LEXIS 7, *13 (Oct. 18, 2010).

³ *See In the Matter of Luke Paper Co.*, 2010 EPA CAA Title V LEXIS at *15.

monitoring is to be recorded and reported. The Permit must be revised to correct those omissions.

B. The Permit Must Require Continuous Monitoring of Hydrocarbon Concentration in the Gas Emitted from the Vapor Recovery Unit

Section D.101 #002 of the Permit imposes a per-liter limit on emissions of total organic compounds from the VRU. Although section D.101 #005(a) of the Permit requires that the temperature of the “carbon adsorption unit’s ... supply and return gasoline lines and heat exchanger” be checked on a daily basis. However, because the Permit does not place any restrictions on the temperature of those components, it is not clear how monitoring their temperatures assures compliance with the per-liter emission limit on total organic compounds. Indeed, the Department’s April 28, 2017 review memo for the Permit does not suggest that the temperature of those components affects the VRU’s efficiency; rather, it states that a monitor is used to measure the concentration of total hydrocarbons in the gas emitted from the VRU, and that the flow of gas in the VRU switches from one carbon adsorption canister to another when a certain concentration of total hydrocarbons in the VRU’s emissions is reached.⁴

The Permit should be revised to reflect such operating practices: the Permit should require that the Facility continuously monitor the concentration of total hydrocarbons in the gas emitted from the VRU, and switch carbon adsorption canisters or operate the Facility’s Vapor Combustion Unit (the “VCU”) when that concentration hits a level that will no longer produce a total organic compound emission of ten milligrams or less per liter of gasoline loaded.

⁴ Review Memo, at 4.

C. The Permit Must Require Monitoring, Recordkeeping, and Reporting Sufficient to Assure Compliance with Throughput Limits on the Distillate Loading Racks

Section D.102 #002 of the Permit imposes a restriction on the volume of distillate that can be loaded through the Facility's Distillate Loading Racks during any period of twelve consecutive months, but the Permit does not specify how the throughput at the Distillate Loading Racks is to be monitored, recorded, or reported. The Permit must be revised to correct those omissions.

II. THE PERMIT MUST REQUIRE TESTING THAT IS SUFFICIENT TO ASSURE COMPLIANCE WITH THE PERMIT'S OTHER TERMS AND CONDITIONS

A Title V Operating Permit must require "testing, monitoring, reporting, and recordkeeping requirements sufficient to assure compliance with the terms and conditions of the permit."⁵ A test that is performed once every five years may be sufficient to assure compliance with the terms and conditions of a Title V Operating Permit if the Permit requires that the test be used to establish operating parameters relating to the emissions of each pollutant, and also requires that those parameters be monitored on a basis sufficient to assure compliance.⁶ However, in the absence of such monitoring, such "infrequent testing" may not be sufficient to assure compliance with the Permit's emission limits.⁷

As explained below, the Permit does not require testing that is sufficient to assure compliance with the emission limitations in place for the Facility's Gasoline Loading Racks (Source ID 101), Gasoline Storage Tanks (Group Name GO1), and the Enclosed Flare in Source 103.

⁵ 40 C.F.R. § 70.6(c)(1); *cf.* 25 Pa. Code § 127.441(c) (operating permit shall contain "requirements related to monitoring, recordkeeping and reporting required by the Clean Air Act and the regulations thereunder").

⁶ *See In the Matter of Kentucky Syngas, LLC*, 2012 EPA CAA Title V LEXIS 4, *165 (June 22, 2012).

⁷ *See In the Matter of Luke Paper Co.*, 2010 EPA CAA Title V LEXIS 7, *14-15 (Oct. 18, 2010).

A. The Permit Should Establish Operating Parameters for the VRU That Will Assure Compliance with Emission Limits, or Require that the VRU's Emissions be Monitored Continuously

Section D.101 #002 of the Permit imposes a per-liter of gasoline loaded limit on emissions of total organic compounds from the VRU. That limit applies continuously. However, the Permit does not require that the total organic compounds in loaded gasoline be monitored continuously. The Permit does not establish operating parameters for the VRU that could be monitored to assure the Facility's compliance with that emission limits. Further, the Permit requires that the VRU's performance be tested only once every five years.

Unless the Permit identifies operating parameters for the VRU that would assure compliance with the per-liter emission limit for total organic compounds and that are monitored continuously, a performance test that occurs only once every five years is not sufficient to assure compliance with that emission limit. The Permit must be revised either to require that the performance of the VRU be tested more frequently than once every five years, or to require continuous monitoring that would assure compliance with the per-liter limit on total organic compounds.

B. The Permit Should Specify Which Emission Limits and Operating Restrictions Apply to the Facility's Gasoline Storage Tanks Source Group, or Establish Emission Limits and Operating Restrictions if Necessary

Section E.G01 #001(a)(2) of the Permit requires that emissions from each of the Facility's Gasoline Storage Tanks be controlled by a vapor recovery system that recovers "at least 80% of the vapors emitted by such tank." The Permit's Source Level Requirements for the Gasoline Storage Tanks do not purport to require the operation of such recovery units.

If vapor emissions from the Facility's Gasoline Storage Tanks are controlled by the Facility's VRU and/or VCU, the Permit should include operating requirements that say so, and

require either testing or monitoring of the VRU and VCU to assure the Facility's compliance with Section E.G01 #001(a)(2). If vapor emissions from the tanks are not controlled by the VRU and/or VCU, the Permit should establish appropriate emission limits for the tanks and testing, monitoring, recordkeeping, and reporting requirements that would ensure compliance with those limits.

C. The Permit Must Require Testing, Monitoring, Recordkeeping, and Reporting Sufficient to Assure Compliance with Emissions Limits for the Enclosed Flare

Section D.103 #001 of the Permit imposes hourly and annual emission limits on the enclosed flare used to control emissions from the Facility's station pump and from pipeline evacuation, without specifying how that enclosed flare is to be monitored to ensure compliance with those limits. If the enclosed flare is not monitored, but is tested frequently enough to establish emission rates, the Facility should at least be required to record and report the times that the enclosed flare was operating to assure compliance with the applicable emission limits.

III. SECTION D.101 OF THE PERMIT SHOULD ESTABLISH ONE EMISSION LIMIT FOR TOTAL ORGANIC COMPOUNDS PER LITER OF GASOLINE LOADED

Various provisions in Section D.101 of the Permit establish emission limits for total organic compounds per liter of gasoline loaded when the Facility is operating the VRU, ranging from 10 mg/l,⁸ to 80 mg/l,⁹ to 35 mg/l.¹⁰ The Permit should specify a single emission limit for that operating scenario.

⁸ Permit, § D.101 #002.

⁹ *See id.*, #007.

¹⁰ *Id.*, #011(b).

IV. THE PERMIT SHOULD SPECIFY THAT THE FACILITY MAY USE ITS VCU TO CONTROL EMISSIONS ONLY WHEN THE VRU IS INOPERABLE OR OTHERWISE UNAVAILABLE

The Facility's VCU is substantially less effective at controlling emissions than is its VRU.¹¹ The Department's April 28, 2017 review memo states that the VCU is only "in place as a backup system and is still used during times when the VRU is not operable."¹² To prevent unnecessary air pollution, the Permit should require operation of the VCU when it is operable, and specify that the VRU may be operated only when the VCU is not operable or cannot achieve sufficient control. Further, the Permit should require the Facility to record and report all instances when the VRU was operated in addition to, or in place of, the VCU.

V. THE PERMIT MUST IMPOSE APPLICABLE REQUIREMENTS ON TANKS 2, 4, 6, AND 703

The Facility includes at least four storage tanks – Tanks 2, 4, 6, and 703 – that (at least according to the Permit) are subject to no source level emission limits and no source level operating, testing, monitoring, recordkeeping, reporting, work practice, or additional requirements, including the requirement that they use any control devices.¹³ Further, Tanks 2, 4, 6, and 703 are not included in either of the two source groups at the Facility.¹⁴ Tanks 2 and 4 are used to store ethanol and tanks 6 and 703 are used to store ultra low sulfur diesel fuel.

¹¹ See Review Memo, at 6-7.

¹² *Id.*, at 3.

¹³ See §§ D.105 (Tank 6), D.109 (Tank 703), D.111 (Tank 2), and D.112 (Tank 4).

The Permit does purport to make Tanks 2, 4, 6, and 703 subject to the general permit requirements for Title V sources in the Permit's section B. However, section B of the Permit does not impose any emission limits, operating requirements, work practice requirements, or additional requirements. See § B. Section B purports to impose testing, monitoring, recordkeeping, and reporting requirements on Title V sources only to the extent required by the Permit's other provisions. See *id.*, #023 - #025. Thus, Tanks 2, 4, 6, and 703 are effectively subject to no emission limits and no other requirements.

¹⁴ See § E.

Tanks 2, 4, 6, and 703 are exempt from regulation under 40 C.F.R. Part 60 Subpart BBBBBB because they are not used to store gasoline.¹⁵ Tanks 2, 4, 6, and 703 are exempt from regulation under 25 Pa. Code § 129.56 because they are not used to store volatile organic compounds with vapor pressure greater than 1.5 psia.¹⁶ However, nothing in the Permit prohibits the Facility from storing gasoline or volatile organic compounds with high vapor pressures in Tanks 2, 4, 6, or 703. The Permit should include operating restrictions that prohibit the storage of liquids other than ethanol in Tanks 2 and 4 and liquids other than ultra low sulfur diesel fuel include to ensure that the Facility does not circumvent the requirements of Subpart BBBBBB and Section 129.56 by storing gasoline or volatile organic compounds with high vapor pressure in the tanks.

¹⁵ See 40 C.F.R. § 63.11087(a) (setting forth requirements for gasoline storage tanks).

¹⁶ See 25 Pa. Code § 129.56(a).