



April 7, 2023

Clint Loobey, YPL Operations Superintendent  
Phillips 66 Company  
Missoula Products Terminal  
2626 Lillian Avenue  
Billings, MT 59101

Sent via email: [clint.b.loobey@p66.com](mailto:clint.b.loobey@p66.com)

**RE: Proposed Title V Operating Permit #OP3021-11**

Dear Mr. Loobey:

DEQ prepared this Draft Operating Permit #OP3021-11, for Phillips 66 – Missoula Products Terminal, located in Missoula, Montana. Please review the cover page for information pertaining to the action taking place on this permit.

If you have any questions, contact John P. Proulx, the permit writer, at (406) 444-5391 or by email at [jproulx@mt.gov](mailto:jproulx@mt.gov).

Sincerely,

Julie A. Merkel  
Permitting Services Section Supervisor  
Air Quality Bureau  
(406) 444-3626

John P. Proulx  
Air Quality Engineer  
Air Quality Bureau  
(406) 444-5391

cc: Branch Chief, Air Permitting and Monitoring Branch, US EPA Region VIII 8ARD-PM  
Carson Coate, US EPA Region VIII, Montana Office



## AIR QUALITY OPERATING PERMIT #OP3021-11

Renewal Application Received:	06/08/2022
Application Deemed Administratively Complete:	06/08/2022
Application Deemed Substantively Complete:	06/08/2022
Draft Issue Date:	02/24/2023
Proposed Issue Date:	04/07/2023
End of EPA 45-day Review:	05/22/2023
Date of Decision:	
Effective Date:	
Expiration Date:	
Complete Renewal Application Due:	
AFS Number: 030-063-0022A	

Phillips 66 Company  
Missoula Products Terminal  
3330 Raser Drive  
Section 8, Township 13N, Range 19W  
Missoula, MT 59101

Phillips 66 – Missoula Products Terminal (Phillips 66) is authorized by DEQ to operate a stationary source of air contaminants consisting of the emission units described in this permit (Montana Code Annotated (MCA) Sections 75-2-217 and 218, and the Administrative Rules of Montana (ARM) Title 17, Chapter 8, Subchapter 12, Operating Permit Program, ARM 17.8.1201, *et seq.*).

Phillips 66 is allowed to discharge air pollutants in accordance with the conditions of this permit until it expires, is modified, or is revoked. All conditions in this permit are federally and state enforceable unless otherwise specified. Requirements which are state-only enforceable are identified as such. A copy of this permit must be kept at the facility or a DEQ-approved location.

### Permit Issuance and Appeal Process:

DEQ provided a 30-day public comment period from February 24, 2023 to March 27, 2023, on the Draft Permit (ARM 17.8.1232). All comments received are summarized in the attached technical review document.

This Proposed Permit will be sent to the United States Environmental Protection Agency (EPA). The EPA is allowed a 45-day review period on the permit. After the EPA comment period expires, DEQ will issue a Decision. This permit will be effective 30 days after the Decision is issued (Section 75-2-218, MCA).

An appeal of the Decision must be made to the Board of Environmental Review (Board) by filing a request for a hearing within 30 days of the issued Decision. A request for a hearing does not stay DEQ's Decision, unless the Board orders a stay (Section 75-2-218(6)(b), MCA). For more information, contact DEQ at (406) 444-3490, or [DEQ-ARMB-Admin@mt.gov](mailto:DEQ-ARMB-Admin@mt.gov).

Montana Air Quality Operating Permit  
Department of Environmental Quality

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Terms not otherwise defined in this permit or in the Definitions and Abbreviations Appendix B of this permit have the meaning assigned to them in the referenced regulations.

### **Section I. GENERAL INFORMATION**

The following general information is provided pursuant to ARM 17.8.1210(1).

Company Name: Phillips 66 Pipeline LLC, Missoula Products Terminal

Mailing Address: 3330 Raser Drive

City: Missoula

State: MT

Zip: 59808

Plant Location: Section 8, Township 13 North, Range 19 West, Missoula County, Montana

Responsible Official: Clint Loobey, Yellowstone Pipeline Operations Superintended - Northwest Region

Facility Contact Person: Jared Shaw, Senior Environmental Specialist

Primary SIC Code: 5171

Nature of Business: Bulk Product Terminal

Description of Process: The Missoula Bulk Terminal stores and transfers petroleum products (gasoline and distillate) via tank trucks and railcars. Flares are used as control equipment for the vapor collection system on the loading racks.

## Section II. SUMMARY OF EMISSIONS UNITS

The emissions units regulated by this permit are the following (ARM 17.8.1211):

<b>Emission Unit ID</b>	<b>Description</b>	<b>Pollution Control Device/Practice</b>
EU001	Loading Racks, I and III	Vapor Collection System with Open Flame Flare
EU002	Loading Rack III	Vapor Collection System with Enclosed Flare
EU003	T-50 – 1,264,536-gallon gasoline tank	Internal floating roof
EU004	T-51 – 845,082-gallon gasoline tank	Internal floating roof
EU005	T-52 – 845,208-gallon transmix tank	Internal floating roof
EU006	T-53 – 854,040-gallon EtOH/gas tank	Internal floating roof
EU008	T-55 – 868,938-gallon jet fuel #1 tank	Fixed roof
EU009	T-56 – 2,677,290-gallon gasoline tank	Internal floating roof
EU010	T-58 – 3,827,250-gallon gasoline tank	Internal floating roof
EU011	T-401 – 614,000-gallon mogas tank	Internal floating roof
EU012	T-402 – 1,260,000-gallon mogas tank	Internal floating roof
EU013	T-404 – 850,000-gallondiesel tank	Fixed roof
EU014	T-405 – 650,000-gallon jet fuel tank	Fixed roof
EU015	T-406 – 650,000-gallon mogas tank	Internal floating roof
EU017	Additive tanks (7)	Fixed roof
EU018	Fugitive emissions from valves, flanges, pump seals, and open-ended lines	None
EU019	Fugitive emissions – Truck Traffic	Water and/or chemical dust suppressant

### Section III. PERMIT CONDITIONS

The following requirements and conditions are applicable to the facility or to specific emissions units located at the facility (ARM 17.8.1211, 1212, and 1213).

#### A. Facility-Wide

Conditions	Rule Citation	Rule Description	Pollutant/Parameter	Limit
A.1	ARM 17.8.105	Testing Requirements	Testing Requirements	-----
A.2	ARM 17.8.304(1)	Visible Air Contaminants	Opacity	40%
A.3	ARM 17.8.304(2)	Visible Air Contaminants	Opacity	20%
A.4	ARM 17.8.308(1)	Particulate Matter, Airborne	Fugitive Opacity	20%
A.5	ARM 17.8.308(2)	Particulate Matter, Airborne	Reasonable Precautions	-----
A.6	ARM 17.8.308	Particulate Matter, Airborne	Reasonable Precaution, Construction	20%
A.7	ARM 17.8.309	Particulate Matter, Fuel Burning Equipment	Particulate Matter	$E = 0.882 * H^{-0.1664}$ or $E = 1.026 * H^{-0.233}$
A.8	ARM 17.8.310	Particulate Matter, Industrial Processes	Particulate Matter	$E = 4.10 * P^{0.67}$ or $E = 55 * P^{0.11 - 40}$
A.9	ARM 17.8.322(4)	Sulfur Oxide Emissions, Sulfur in Fuel	Sulfur in Fuel (liquid or solid fuels)	1 lb/MMBtu fired
A.10	ARM 17.8.322(5)	Sulfur Oxide Emissions, Sulfur in Fuel	Sulfur in Fuel (gaseous)	50 gr/100 CF
A.11	ARM 17.8.324(3)	Hydrocarbon Emissions, Petroleum Products	Gasoline Storage Tanks	-----
A.12	ARM 17.8.324	Hydrocarbon Emissions, Petroleum Products	65,000 Gallon Capacity	-----
A.13	ARM 17.8.324	Hydrocarbon Emissions, Petroleum Products	Oil-effluent Water Separator	-----
A.14	ARM 17.8.342	NESHAPs General Provisions	SSM Plans	Submittal
A.15	ARM 17.8.1211(1)(c) and 40 CFR Part 98	Greenhouse Gas Reporting	Reporting	-----
A.16	ARM 17.8.342	40 CFR 63 Subpart BBBB	40 CFR 63 Subpart BBBB	As Applicable
A.17	ARM 17.8.340	40 CFR 60 Subpart XX	40 CFR 60 Subpart XX	As Applicable
A.18	ARM 17.8.1212	Reporting Requirements	Prompt Deviation Reporting	-----
A.19	ARM 17.8.1212	Reporting Requirements	Compliance Monitoring	-----
A.20	ARM 17.8.1207	Reporting Requirements	Annual Certification	-----

#### Conditions

A.1. Pursuant to ARM 17.8.105, any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of DEQ, provide the

facilities and necessary equipment (including instruments and sensing devices) and shall conduct test, emission or ambient, for such periods of time as may be necessary using methods approved by DEQ.

Compliance demonstration frequencies that list “as required by DEQ” refer to ARM 17.8.105. In addition, for such sources, compliance with limits and conditions listing “as required by DEQ” as the frequency, is verified annually using emission factors and engineering calculations by DEQ’s compliance inspectors during the annual emission inventory review; in the case of Method 9 tests, compliance is monitored during the regular inspection by the compliance inspector.

- A.2. Pursuant to ARM 17.8.304(1), Phillips 66 shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed on or before November 23, 1968, that exhibit an opacity of 40% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.
- A.3. Pursuant to ARM 17.8.304(2), Phillips 66 shall not cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.
- A.4. Pursuant to ARM 17.8.308(1), Phillips 66 shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.
- A.5. Pursuant to ARM 17.8.308(2), Phillips 66 shall not cause or authorize the use of any street, road or parking lot without taking reasonable precautions to control emissions of airborne particulate matter, unless otherwise specified by rule or in this permit.
- A.6. Pursuant to ARM 17.8.308, Phillips 66 shall not operate a construction site or demolition project unless reasonable precautions are taken to control emissions of airborne particulate matter. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes, unless otherwise specified by rule or in this permit.
- A.7. Pursuant to ARM 17.8.309, unless otherwise specified by rule or in this permit, Phillips 66 shall not cause or authorize particulate matter caused by the combustion of fuel to be discharged from any stack or chimney into the outdoor atmosphere in excess of the maximum allowable emissions of particulate matter for existing fuel burning equipment and new fuel burning equipment calculated using the following equations:

For existing fuel burning equipment (installed before November 23, 1968):

$$E = 0.882 * H^{-0.1664}$$

For new fuel burning equipment (installed on or after November 23, 1968):

$$E = 1.026 * H^{-0.233}$$



Where H is the heat input capacity in million BTU (MMBtu) per hour and E is the maximum allowable particulate emissions rate in pounds per MMBtu.

- A.8. Pursuant to ARM 17.8.310, unless otherwise specified by rule or in this permit, Phillips 66 shall not cause or authorize particulate matter to be discharged from any operation, process, or activity into the outdoor atmosphere in excess of the maximum hourly allowable emissions of particulate matter calculated using the following equations:

$$\begin{array}{ll} \text{For process weight rates up to 30 tons per hour:} & E = 4.10 * P^{0.67} \\ \text{For process weight rates in excess of 30 tons per hour:} & E = 55.0 * P^{0.11} - 40 \end{array}$$

Where E = rate of emissions in pounds per hour and P = process weight rate in tons per hour.

- A.9. Pursuant to ARM 17.8.322(4), Phillips 66 shall not burn liquid or solid fuels containing sulfur in excess of 1 pound per million BTU fired, unless otherwise specified by rule or in this permit.
- A.10. Pursuant to ARM 17.8.322(5), Phillips 66 shall not burn any gaseous fuel containing sulfur compounds in excess of 50 grains per 100 cubic feet of gaseous fuel, calculated as hydrogen sulfide at standard conditions, unless otherwise specified by rule or in this permit.
- A.11. Pursuant to ARM 17.8.324(3), Phillips 66 shall not load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more from any tank truck or trailer, except through a permanent submerged fill pipe, unless such tank is equipped with a vapor loss control device or is a pressure tank as described in ARM 17.8.324(1), unless otherwise specified by rule or in this permit.
- A.12. Pursuant to ARM 17.8.324, unless otherwise specified by rule or in this permit, Phillips 66 shall not place, store or hold in any stationary tank, reservoir or other container of more than 65,000 gallon capacity any crude oil, gasoline or petroleum distillate having a vapor pressure of 2.5 pounds per square inch absolute or greater under actual storage conditions, unless such tank, reservoir or other container is a pressure tank maintaining working pressure sufficient at all times to prevent hydrocarbon vapor or gas loss to the atmosphere, or is designed and equipped with a vapor loss control device, properly installed, in good working order and in operation.
- A.13. Pursuant to ARM 17.8.324, unless otherwise specified by rule or in this permit, Phillips 66 shall not use any compartment of any single or multiple-compartment oil-effluent water separator, which compartment receives effluent water containing 200 gallons a day or more of any petroleum product from any equipment processing, refining, treating, storing or handling kerosene or other petroleum product of equal or greater volatility than kerosene, unless such compartment is equipped with a vapor loss control device, constructed so as to prevent emission of hydrocarbon vapors to the atmosphere, properly installed, in good working order and in operation.
- A.14. Pursuant to ARM 17.8.342 and 40 CFR 63.6, Phillips 66 shall submit to DEQ a copy of any startup, shutdown, and malfunction (SSM) plan required under 40 CFR 63.6(e)(3) within 30 days of the effective date of this operating permit (if not previously submitted), within 30 days of the compliance date of any new National Emission Standard for Hazardous Air

Pollutants (NESHAPs) or Maximum Achievable Control Technology (MACT) standard, and within 30 days of the revision of any such SSM plan, when applicable. DEQ requests submittal of such plans in electronic form, when possible.

- A.15. Pursuant to ARM 17.8.1211(1)(c) and 40 CFR Part 98, Phillips 66 shall comply with requirements of 40 CFR Part 98 – Mandatory Greenhouse Gas Reporting, as applicable (ARM 17.8.1211(1)(c), NOT an applicable requirement under Title V).
- A.16. Pursuant to ARM 17.8.342 and 40 CFR 63, Subpart BBBBBB, Phillips 66 shall comply with the applicable emissions limitations, management practices, testing, monitoring, notification, recordkeeping, and reporting requirements of 40 CFR 63, Subpart BBBBBB by the compliance dates specified in the rule.
- A.17. Pursuant to ARM 17.8.340 and 40 CFR 60, Subpart XX, Phillips 66 shall comply with the applicable standards, testing, monitoring, notification, recordkeeping, and reporting requirements of 40 CFR 60 Subpart XX.
- A.18. Phillips 66 shall promptly report deviations from permit requirements including those attributable to upset conditions, as upset is defined in the permit. To be considered prompt, deviations shall be reported to DEQ using the schedule and content as described in Section V.E (unless otherwise specified in an applicable requirement) (ARM 17.8.1212).
- A.19. On or before February 15 and August 15 of each year, Phillips 66 shall submit to DEQ the compliance monitoring reports required by Section V.D. These reports must contain all information required by Section V.D, as well as the information required by each individual emissions unit. For the reports due by February 15 of each year, Phillips 66 may submit a single report, provided that it contains all the information required by Section V.B & V.D. Per ARM 17.8.1207,

*any application form, report, or compliance certification submitted pursuant to ARM Title 17, Chapter 8, Subchapter 12 (including semiannual monitoring reports), shall contain certification by a responsible official of truth, accuracy and completeness. This certification and any other certification required under ARM Title 17, Chapter 8, Subchapter 12, shall state that, “based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.”*

- A.20. By February 15 of each year, Phillips 66 shall submit to DEQ the compliance certification required by Section V.B. The annual certification required by Section V.B must include a statement of compliance based on the information available which identifies any observed, documented or otherwise known instance of noncompliance for each applicable requirement. Per ARM 17.8.1207,

*any application form, report, or compliance certification submitted pursuant to ARM Title 17, Chapter 8, Subchapter 12 (including annual certifications), shall contain certification by a responsible official of truth, accuracy and completeness. This certification and any other certification required under ARM Title 17, Chapter 8, Subchapter 12, shall state that, “based on information and belief formed after reasonable inquiry, the*

*statements and information in the document are true, accurate and complete.”*

**B. EU001: Truck Loading Rack (Loading Rack I) and associated equipment; EU002: Railcar Loading Rack (Loading Rack III) and associated equipment; EU018: Fugitive Emissions from valves, flanges, pump seals, and open-ended lines**

Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
B.1, B.13, B.26, B.32, B.33	Loading of tank trucks and railcars	submerged fill and dedicated normal service and/or switch loaded service	Log	As needed	Semiannual and as required by DEQ
B.2, B.14, B.26, B.32, B.33	Gasoline throughput for loadout operations on Loading Rack I and Loading Rack III	756,000,000 gallons combined during any rolling 12-month period	Log of throughput	By the end of the month for the previous month	
B.3, B.14, B.26, B.32, B.33	Distillate product throughput for the loadout operations on Loading Rack I and Loading Rack III	1,100,000,000 gallons combined during any rolling 12-month period	Log of throughput	By the end of the month for the previous month	
B.4, B.14, B.26, B.32, B.33	Jet fuel throughput for the loadout operation on Loading Rack I and Loading Rack III	50,000,000 gallons combined during any rolling 12-month period	Log of throughput	By the end of the month for the previous month	
B.5, B.15, B.16, B.24, B.25, B.26, B.29, B.30, B.32, B.33, B.34, B.35	Loading of gasoline into the tank trucks and railcars	limited to vapor-tight tank trucks and railcars	40 CFR 63 Subpart BBBBBB and 40 CFR 60 Subpart XX	40 CFR 63 Subpart BBBBBB and 40 CFR 60 Subpart XX	Semiannual, as required by DEQ, and in accordance with 40 CFR 63 Subpart BBBBBB and 40 CFR 60 Subpart XX
B.6, B.24, B.26 B.30, B.32, B.33, B.35	VOC and HAP emissions from the gasoline and distillate tank truck Loading Rack I and the gasoline Loading Rack III	install, operate, and maintain the vapor collection system	40 CFR 60 Subpart XX	40 CFR 60 Subpart XX	Semiannual, as required by DEQ, and in accordance with 40 CFR 60 Subpart XX
B.7, B.24, B.26 B.30, B.32, B.33, B.35	Pressure in the gasoline railcar	4,500 Pascal (Pa)	40 CFR 60, Subpart XX	40 CFR 60, Subpart XX	Semiannual, as required by DEQ, and in accordance with

Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
					40 CFR 60 Subpart XX
B.8,B.24, B.26, B.30, B.32, B.33, B.35	Pressure-vacuum vents in the vapor collection system	4,500 Pa	40 CFR 60, Subpart XX	40 CFR 60, Subpart XX	Semiannual, as required by DEQ, and in accordance with 40 CFR 60 Subpart XX
B.9, B.24, B.26, B.30, B.32, B.33, B.35	Loading of gasoline and distillate tank trucks and gasoline railcars	only into tank trucks and railcars compatible with the vapor collection system	40 CFR 60, Subpart XX	40 CFR 60, Subpart XX	Semiannual, as required by DEQ, and in accordance with 40 CFR 60 Subpart XX
B.10, B.22, B.26, B.27, B.32, B.33	Any open-ended line	sealed with a valve	Inspection	Each calendar month	Semiannual and as required by DEQ
B.11, B.17, B.26, B.27, B.32, B.33	All pumps used in gasoline service	equipped with either a single or double mechanical seal system	Inspection	Each calendar quarter	Semiannual and as required by DEQ
B.12, B.18, B.19, B.20, B.21, B.26, B.27, B.32, B.33	All emissions collected in the vapor collection system	route to a vapor control system	Inspection	Each calendar month	Semiannual and as required by DEQ

### Conditions

- B.1. Loading of tank trucks and railcars shall be restricted to the use of submerged fill and dedicated normal service and/or switch loaded service (Missoula City-County Air Pollution Control Program (APCP) Rule 6.103).
- B.2. Phillips 66 shall be limited to a maximum total of 756,000,000 gallons of gasoline throughput for loadout operations on Loading Rack I and Loading Rack III combined during any rolling 12-month period (APCP Rule 6.103).
- B.3. Phillips 66 shall be limited to a maximum of 1,100,000,000 gallons of distillate product throughput for the loadout operations on Loading Rack I and Loading Rack III during any rolling 12-month period (APCP Rule 6.103).
- B.4. Phillips 66 shall be limited to a maximum of 50,000,000 gallons of jet fuel throughput for the loadout operation on Loading Rack I and Loading Rack III during any rolling 12-month period (APCP Rule 6.103).
- B.5. Loading of gasoline into the tank trucks and railcars shall be limited to vapor-tight tank trucks and railcars. Phillips 66 shall require vapor tightness testing on the tank trucks and railcars as specified in 40 CFR 63 Subpart BBBB or another testing/monitoring schedule

as may be approved by DEQ. Documentation shall be updated as test results are available to reflect current test results as determined by Method 27 (APCP Rule 6.506, 40 CFR 60 Subpart XX, APCP Rule 6.508 and 40 CFR 63 Subpart BBBBBB).

- B.6. Phillips 66 shall install, operate, and maintain the vapor collection system to collect VOC and HAP emissions from the gasoline and distillate tank truck Loading Rack I and the gasoline Loading Rack III (APCP Rule 6.506 and 40 CFR 60, Subpart XX).
- B.7. The vapor collection system and liquid loading equipment shall be designed and operated to prevent pressure in the gasoline railcar from exceeding 4,500 Pascal (Pa) during product loading (APCP Rule 6.506 and 40 CFR 60, Subpart XX).
- B.8. No pressure-vacuum vent in the vapor collection system shall begin to open at a system pressure less than 4,500 Pa (APCP Rule 6.506 and 40 CFR 60, Subpart XX).
- B.9. Phillips 66 shall ensure that loading of gasoline and distillate tank trucks and gasoline railcars at the loading racks are made only into tank trucks and railcars compatible with the vapor collection system (APCP Rule 6.506 and 40 CFR 60, Subpart XX).
- B.10. Any open-ended line shall be sealed with a valve (APCP Rule 6.103).
- B.11. Phillips 66 shall ensure that all pumps used in gasoline service shall be equipped with either a single or double mechanical seal system (APCP Rule 6.103).
- B.12. Phillips 66 shall route all emissions from the vapor collection system to a vapor control system (APCP Rule 6.103).

### **Compliance Demonstration**

- B.13. Phillips 66 shall verify that the submerged fill and dedicated normal service and/or switch loaded service is continually used when loading cargo tanks. Phillips 66 shall keep a log recording the date, time, duration, and volume of any product loaded, during which the submerged fill and dedicated normal service and/or switch loaded service are not utilized (ARM 17.8.1212).
- B.14. Phillips 66 shall record in a log, by month, the gasoline, distillate, and jet fuel throughput for the truck loadout and railcar loadout operations. By the 25<sup>th</sup> of each month Phillips 66 shall total the amount of throughput during the previous twelve months to verify compliance with the limitations in Section III.B.2, III.B.3, and III.B.4. A written report of the compliance verification shall be maintained on site and submitted to DEQ no later than March 1 and may be submitted along with the annual emission inventory (APCP Rule 6.103 and ARM 17.8.1212).
- B.15. Phillips 66 shall require the tank truck and railcar identification number to be recorded as each gasoline tank truck or railcar is loaded at the terminal (APCP Rule 6.506, 40 CFR 60 Subpart XX, APCP Rule 6.508 and 40 CFR 63 Subpart BBBBBB).
- B.16. Phillips 66 shall take the necessary steps to ensure that any non-vapor-tight gasoline tank truck and railcar will not be reloaded at the loading racks until vapor tightness

documentation for that tank truck or railcar is obtained (APCP Rule 6.506, 40 CFR 60 Subpart XX, APCP Rule 6.508 and 40 CFR 63 Subpart BBBBBB).

- B.17. Each calendar quarter, all pump seals shall be instrument tested for total organic compounds, liquid, or vapor, leaks. When an instrument reading of 10,000 ppm or greater is measured, or if there are indications of liquid dripping from the equipment, it shall be determined that a leak has been detected (APCP Rule 6.506, 40 CFR 60 Subpart XX, and ARM 17.8.1213).
- B.18. Each calendar month, the vapor collection systems and the loading racks shall be inspected for total organic compound leaks, liquid, or vapor, during product transfer operations. For purposes of this requirement, detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected (APCP Rule 6.506, 40 CFR 60 Subpart XX, APCP Rule 6.508 and 40 CFR 63 Subpart BBBBBB).
- B.19. Phillips 66 shall (APCP Rule 6.508, 40 CFR 63 Subpart BBBBBB, and ARM 17.8.1213):
  - a. Make a first attempt at repair for any leak no later than five calendar days after the leak is detected; and
  - b. Repair any leak as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in Section III.B.20 below.
- B.20. Delay of repair of equipment for which a leak has been detected will be allowed if repair is technically infeasible without a source shutdown. Such equipment shall be repaired before the end of the first source shutdown after detection of the leak (APCP Rule 6.103 and ARM 17.8.1213).
- B.21. Phillips 66 may discontinue monthly inspections when a loading rack(s) is not in operation for an entire calendar month or longer. The loading racks must be purged to remove all petroleum products from the loading racks. Phillips 66 must provide the following to DEQ (APCP Rule 6.103 and ARM 17.8.1213):
  - a. Written notification within 15 days of shutdown of a loading rack that will not be operating for a calendar month or longer; and
  - b. Written notification within 15 days of startup of a loading rack that has not been in operation and the previous month's inspections was not conducted.
- B.22. Each calendar month, all valves, flanges, pump seals, and open-ended lines shall be inspected for total organic compound leaks. For purposes of this requirement, detection methods incorporating sight, sound, or smell are acceptable (APCP Rule 6.506, 40 CFR 60 Subpart XX, APCP Rule 6.508 and 40 CFR 63 Subpart BBBBBB, and ARM 17.8.1213).
- B.23. Phillips 66 shall monitor compliance with 40 CFR 63 Subpart BBBBBB through the applicable testing, monitoring, and recordkeeping requirements of 40 CFR 63 Subpart BBBBBB (ARM 17.8.1213, ARM 17.8.342, and CFR 63 Subpart BBBBBB).

- B.24. Phillips 66 shall monitor compliance with Section III.B.5 through Section III.B.9, through the applicable testing, monitoring, notification, and recordkeeping requirements of 40 CFR 60, Subpart XX (ARM 17.8.1213).
- B.25. As required in 40 CFR Part 63 Subpart BBBBBB Phillips 66 shall submit a semiannual compliance report and relevant excess emission reports to DEQ by January 31<sup>st</sup> and July 31<sup>st</sup> of each year (APCP Rule 6.508 and 40 CFR 63 Subpart BBBBBB).

### **Recordkeeping**

- B.26. The records compiled in accordance with this permit shall be maintained by Phillips 66 as a permanent business record for at least five (5) years following the date of the measurement, shall be submitted to DEQ upon request, and shall be available at the plant for inspection by DEQ (APCP Rule 6.103 and ARM 17.8.1212).
- B.27. A record of each monthly leak inspection required under Sections III.B.19 and III.B.20 of this permit shall be kept on file at the bulk terminal. Inspection records shall include, at a minimum, the following information (APCP Rule 6.103 and ARM 17.8.1212):
- a. date of inspection
  - b. findings (may include no leak discovered or location, nature, and severity of each leak);
  - c. leak determination method;
  - d. corrective action (date each leak repaired and reason for any repair interval in excess of 15 calendar days); and
  - e. inspector's name and signature
- B.28. All compliance source test recordkeeping shall be performed in accordance with the test method used and the Montana Source Test Protocol and Procedures Manual, and shall be maintained on-site (ARM 17.8.106 and ARM 17.8.1212).
- B.29. Phillips 66 shall maintain records as required by 40 CFR 63, Subpart BBBBBB (ARM 17.8.1212, ARM 17.8.342, and 40 CFR 63 Subpart BBBBBB).
- B.30. Phillips 66 shall maintain records as required by 40 CFR 60, Subpart XX (ARM 17.8.1212, ARM 17.8.340, and 40 CFR 60 Subpart XX).

### **Reporting**

- B.31. Any compliance source test reports must be submitted in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.106 and ARM 17.8.1212).
- B.32. The annual compliance certification required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- B.33. The semiannual monitoring report shall provide (ARM 17.8.1212):

- a. A summary of any records kept indicating any cargo tank loading operations in which submerged fill and dedicated normal service and/or switch loaded service is not utilized.
- b. A summary of the gasoline, distillate, and jet fuel throughput records
- c. A summary of Tank Truck and Railcar recordkeeping
- d. A summary of inspection records
- e. A summary of any recordkeeping and reporting requirements applicable during the semiannual period related to 40 CFR 63 Subpart BBBBBB
- f. A summary of any recordkeeping and reporting requirements applicable during the semiannual period related to 40 CFR 60 Subpart XX

B.34. Phillips 66 shall comply with the reporting requirements of 40 CFR 63, Subpart BBBBBB (ARM 17.8.1212, ARM 17.8.342, 40 CFR 63 Subpart BBBBBB).

B.35. Phillips 66 shall comply with the applicable reporting requirements of 40 CFR 60, Subpart XX (ARM 17.8.1212, ARM 17.8.340, 40 CFR 60 Subpart XX).

**C. EU003: Flares**

Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
C.1, C.9, C.10, C.11, C.15, C.17, C.18, C.20, C.21, C.22	Vapor Control System to control VOC and HAP emissions	VOC – see conditions C.4 and C.5	Method 22, Method 25A/25B	Every 4 years and as required by DEQ	Semi-annual, in accordance with the Montana Source Test Protocol and Procedures Manual, and upon request
C.2, C.9, C.13, C.15, C.17, C.18, C.20, C.21, C.22	Opacity	10%	Method 22 test or other Department approved test method	As required by DEQ	
C.3, C.14, C.15, C.17, C.18, C.20, C.21, C.22	Particulate	0.10 gr/dscf corrected to 12% CO <sub>2</sub>	Method 5 or other Department approved test method	As required by DEQ	
C.4, C.9, C.10, C.11, C.15, C.17, C.18, C.20, C.21, C.22	VOC – tank truck loading	35.0 milligrams per liter of gasoline loaded	Method 25A/25B	Every 4 years and as required by DEQ	
C.5, C.9, C.10, C.11, C.15, C.17, C.18, C.20, C.21, C.22	VOC – railcar loading	10.0 milligrams per liter of gasoline loaded	Method 25A/25B	Every 4 years and as required by DEQ	



Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
C.6, C.12, C.15, C.17, C.18, C.20, C.21, C.22	CO – railcar loading	10.0 milligrams per liter of gasoline loaded	Method 10	As required by DEQ	
C.7, C.12, C.15, C.17, C.18, C.20, C.21, C.22	NO <sub>x</sub> – railcar loading	4.0 milligrams per liter of gasoline loaded	Method 7	As required by DEQ	
C.8, C.16, C.19, C.22	CAM Plan	ARM 17.8.1504	Provisions from CAM Plan Summary, Appendix F and G	On-going	Semi-annual

### Conditions

- C.1 Phillips 66 shall install, operate, and maintain the vapor control system to control VOC and HAP emissions as described in Section III.C.2 through Section III.C.8 (APCP Rule 6.506 and 40 CFR 60, Subpart XX).
- C.2 Phillips 66 shall not cause or authorize to be discharged into the atmosphere from any flare any visible emissions that exhibit an opacity of 10% or greater (APCP Rule 6.601).
- C.3 Phillips 66 shall not cause or authorize to be discharged into the atmosphere from any flare any particulate emissions in excess of 0.10 gr/dscf corrected to 12% CO<sub>2</sub> (APCP Rule 6.601).
- C.4 Phillips 66 shall not cause or authorize to be discharged into the atmosphere from any flare VOC emissions due to loading liquid product into gasoline tank truck exceeding 35.0 milligrams per liter of gasoline loaded (APCP Rule 6.601).
- C.5 Phillips 66 shall not cause or authorize to be discharged into the atmosphere from any flare VOC emissions due to loading liquid product into gasoline railcars exceeding 10.0 milligrams per liter of gasoline loaded (APCP Rule 6.601).
- C.6 Phillips 66 shall not cause or authorize to be discharged into the atmosphere from any flare total CO emissions due to loading liquid product into gasoline railcars exceeding 10.0 milligrams per liter of gasoline loaded (APCP Rule 6.601).
- C.7 Phillips 66 shall not cause or authorize to be discharged into the atmosphere from any flare NO<sub>x</sub> emissions due to loading liquid product into railcars exceeding 4.0 milligrams per liter of gasoline loaded (APCP Rule 6.601).
- C.8 Phillips 66 shall provide a reasonable assurance of compliance with emission limitations or standards for the anticipated operations of operations of the Open Flame Flare and Vapor Combustor Unit (ARM 17.8.1504).

### Compliance Demonstration

- C.9 The open flame flare controlling Rack I shall be tested using Methods 21 and 22, in lieu of other testing required by NSPS Subpart XX. Compliance shall be demonstrated with the emission limitations contained in Section III.C.2 by January 31, 2000, and every four years thereafter, or another testing/monitoring schedule as may be approved by DEQ (APCP Rule 5.102, ARM 17.8.1213).
- C.10 The enclosed flare controlling Rack III shall be tested for total organic compounds, and compliance demonstrated with the emission limitation in Section III.C.4. The flare shall be tested by January 31, 2004, and every four years thereafter (APCP Rule 5.102, ARM 17.8.1213).
- C.11 Phillips 66 shall use DEQ approved test methods and procedures to determine compliance with Section III.C.4 and Section III.C.5 of this permit (APCP Rule 5.102, ARM 17.8.1213).
- C.12 As required by DEQ and Section III.A.1, Phillips 66 shall perform a Method 10 (CO) and Method 7 (NO<sub>x</sub>), or other Department approved test methods, in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.1213).
- C.13 As required by DEQ and Section III.A.1, Phillips 66 shall perform a Method 22 test or other Department approved test method in accordance with the Montana Source Test Protocol and Procedures Manual, to monitor compliance with the opacity limitation of Section III.C.2 (ARM 17.8.1213).
- C.14 As required by DEQ and Section III.A.1, Phillips 66 shall perform a Method 5 test or other Department approved test method in accordance with the Montana Source Test Protocol and Procedures Manual, to monitor compliance with the particulate matter limit of Section III.C.3 (ARM 17.8.1213).
- C.15 DEQ may require further testing (APCP Rule 5.102, ARM 17.8.1213).
- C.16 Phillips 66 shall monitor compliance by following the Compliance Assurance Monitoring (CAM) Plan (Summaries of each plan included in Appendix F and Appendix G) and are available in full upon request by requesting a copy of the renewal application associated with this permit (ARM 17.8.1503 and ARM 17.8.1213).

### **Recordkeeping**

- C.17 The records compiled in accordance with this permit shall be maintained by Phillips 66 as a permanent business record for at least five (5) years following the date of the measurement, shall be submitted to DEQ upon request, and shall be available at the plant for inspection by DEQ (APCP Rule 6.103 and ARM 17.8.1212).
- C.18 All source test recordkeeping shall be performed in accordance with the test method used and shall be maintained on site (ARM 17.8.1212).
- C.19 Phillips 66 shall prepare and keep data in accordance with 40 CFR Part 64 and the CAM Plan (Appendix F and Appendix G) of this permit (ARM 17.8.1213 and 40 CFR Part 64).

### **Reporting**

C.20 Phillips 66 shall submit all source test reports in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.1212).

C.21 The annual compliance certification required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).

C.22 The semiannual monitoring report shall provide (ARM 17.8.1212):

- a. A summary of results of any source testing that was performed during that semiannual period; and (ARM 17.8.1212); and
- b. Any reporting required by 40 CFR Part 64 (CAM), Appendix F and Appendix G, as applicable, during the semi-annual period.

**D. EU003, EU004, EU005, EU006, EU008, EU009, EU010, EU011, EU012, EU013, EU014, and, EU017: PRODUCT STORAGE TANKS**

**Includes EU003-T50, EU004-T51, EU005-T52, EU006-T53, EU008-T55, EU009-T56, EU010-T58, EU011-T401, EU012-T402, EU013-T404, EU014-T405, EU015-T406, and EU017-Additive tanks (7)**

Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
D.1, D.5, D.6, D.7, D.14, D.15, D.16	Tank design parameters for storage tanks containing liquid with a maximum vapor pressure greater than 2.5 psia	Internal floating roof  Seal material integrity  Covers, lids, and/or seals	Inspection	Floating Roof System: at least every 12 months  Any cover and single seal: during any non-operational time or every 10 years, whichever is more often	Semiannual and upon request
Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
D.2, D.7, D.8, D.11, D.15, D.16	Storage conditions	Recordkeeping	Recordkeeping	By the end of the month for previous month	
D.3, D.9, D.11, D.12, D.15, D.16, D.17	40 CFR 60, Subpart K	40 CFR 60, Subpart K	40 CFR 60, Subpart K	40 CFR 60, Subpart K	Semiannual and as required by 40 CFR 60, Subpart K,
D.4, D.10, D.11, D.13, D.15, D.16, D.18	40 CFR 60, Subpart Kb	40 CFR 60, Subpart Kb	40 CFR 60, Subpart Kb	40 CFR 60, Subpart Kb	Semiannual and as required by 40 CFR 60, Subpart Kb

**Conditions**

- D.1 Phillips 66 shall not store petroleum liquid with a maximum true vapor pressure greater than 2.5 pounds per square inch absolute (psia) in the permitted petroleum liquid storage tanks unless (APCP Rule 10.301):
- a. The tank is equipped with an internal floating roof equipped with a closure seal or seals to close the space between the roof edge and the tank wall.
  - b. The tank is maintained such that there are no visible holes, tears, or other openings in the seal or any seal fabric or material.
  - c. All openings, except stub drains, are equipped with covers, lids, or seals such that:
    - i. The cover, lid, or seal is in the closed position at all times, except when in actual use.
    - ii. The automatic bleeder vents are closed at all times except when the roof is being floated off or being landed on the roof leg supports.
    - iii. The rim vents are set to open when the roof is not floating off the roof leg supports, or at the manufacture's recommended setting.
- D.2 For sources containing a petroleum liquid with a true vapor pressure greater than 2.5 pounds per square inch absolute (psia), the following records shall be maintained on site for a minimum of five years and shall be made available to DEQ upon request (APCP Rule 6.103):
- a. The average monthly storage temperature
  - c. The type of liquid stored; and
  - d. The maximum true vapor pressure for any petroleum liquid with a true vapor pressure greater than 2.5 psia.
- D.3 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in ARM 17.8.340 and 40 CFR 60, Subpart K for Tank 56 (APCP Rule 6.506 and 40 CFR 60, Subpart K).
- D.4 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in ARM 17.8.340 and 40 CFR 60, Subpart Kb for Tank 58 (APCP Rule 6.506 and 40 CFR 60, Subpart Kb).

### **Compliance Demonstration**

- D.5 For tanks equipped with a single and/or double seal system, Phillips 66 shall (APCP Rule 6.508, 40CFR 63 Subpart BBBB, and ARM 17.8.1213):
- a. Visually inspect the internal floating roof, and its closure seal or seals through roof hatches at least once every 12 months; and

- b. Perform a complete inspection of any cover and single seal whenever the tank is emptied for non-operational reasons or at least every 10 years, whichever is more frequent.
- D.6 Phillips 66 shall notify DEQ of the date of the inspection at least 30 days prior to the refilling of each storage vessel for which an inspection is required by Section III.D.5b (APCP Rule 6.103, ARM 17.8.1213).
- D.7 Phillips 66 shall record any change in products stored in the permitted storage tanks which are allowed within the restrictions of this permit (APCP Rule 6.103, ARM 17.8.1213).
- D.8 By the end of each calendar month, Phillips 66 shall record the average monthly storage temperature, type of liquid stored, and maximum true vapor pressure information as required by Section III.D.2 for the previous month (ARM 17.8.1213).
- D.9 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in ARM 17.8.340 and 40 CFR 60, Subpart K for Tank 56 (ARM 17.8.1213 and 40 CFR 60, Subpart K).
- D.10 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in ARM 17.8.340 and 40 CFR 60, Subpart Kb for Tank 58 (ARM 17.8.1213 and 40 CFR 60, Subpart Kb).

### **Recordkeeping**

- D.11 The records compiled in accordance with this permit shall be maintained by Phillips 66 as a permanent business record for at least five (5) years following the date of the measurement, shall be submitted to DEQ upon request, and shall be available at the plant for inspection by DEQ (APCP Rule 6.103 and ARM 17.8.1212).
- D.12 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in ARM 17.8.340 and 40 CFR 60, Subpart K for Tank 56 (ARM 17.8.1212 and 40 CFR 60, Subpart K).
- D.13 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in ARM 17.8.340 and 40 CFR 60, Subpart Kb for Tank 58 (ARM 17.8.1212 and 40 CFR 60, Subpart Kb).

### **Reporting**

- D.14 Phillips 66 shall submit records of inspections required in Section III.D.5.a to DEQ within 30 days of the date of inspection if a gap is detected (APCP Rule 6.103, ARM 17.8.1212).
- D.15 The annual compliance certification required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- D.16 The semiannual monitoring report shall provide (ARM 17.8.1212):
  - a. A summary of results of any source testing that was performed during that semiannual period; and
  - b. A summary of all inspection logs

- c. A summary of any changes in products stored in the permitted storage tanks; and
  - d. A summary of compliance with the requirements of 40 CFR 60, Subparts K and Kb
- D.17 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in 40 CFR 60, Subpart K for Tank 56 (ARM 17.8.1212 and 40 CFR 60, Subpart K).
- D.18 Phillips 66 shall comply with all applicable standards and limitations, and the reporting, recordkeeping and notification requirements contained in 40 CFR 60, Subpart Kb for Tank 58 (ARM 17.8.1212 and 40 CFR 60, Subpart Kb).

**E. EU019: Fugitive Emissions – Truck Traffic**

Condition(s)	Pollutant/Parameter	Permit Limit	Compliance Demonstration Method Frequency		Reporting Requirements
E.1, E.3, E.5, E.7, E.8	Reasonable precautions	Fresh water and/or chemical dust suppressant, as necessary	Recordkeeping	Ongoing	Semiannual and as requested by DEQ
E.2, E.4, E.5, E.6, E.7, E.8	Opacity	20%	Method 9	As required by DEQ	Semiannual and as requested by DEQ

**Conditions**

- E.1. Phillips 66 shall not cause or authorize emissions to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property without taking reasonable precautions to control emissions of airborne particulate matter (APCP Rule 8.102).
- E.2. Phillips 66 shall not cause or authorize the production, handling, transportation, or storage of any material unless reasonable precautions to control emissions of particulate matter are taken. Such emissions of airborne particulate matter from any stationary source shall not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.308(1)).

**Compliance Demonstration**

- E.3. Phillips 66 shall treat all unpaved portions of the access roads, parking lots, and general plant area with fresh water and/or chemical dust suppressant, as necessary, to maintain compliance with the reasonable precautions limitation. Phillips 66 shall record in a log anytime water and/or chemical dust suppressant is applied to maintain compliance with the reasonable precaution limitation (APCP Rule 8.102 and ARM 17.8.1213).
- E.4. As required by DEQ and Section III.A.1, Phillips 66 shall perform a Method 9 opacity test to monitor compliance with Section III.E.2. (ARM 17.8.1213).

**Recordkeeping**

- E.5. The records compiled in accordance with this permit shall be maintained by Phillips 66 as a permanent business record for at least five (5) years following the date of the measurement, shall be submitted to DEQ upon request, and shall be available at the plant for inspection by DEQ (APCP Rule 6.103 and ARM 17.8.1212).
- E.6. All recordkeeping performed in association with source testing shall be done in accordance with the Montana Source Test Protocol and Procedures Manual (ARM 17.8.1212).

### **Reporting**

- E.7. The annual compliance certification required by Section V.B must contain a certification statement for the above applicable requirements (ARM 17.8.1212).
- E.8. The semiannual monitoring report shall provide (ARM 17.8.1212):
  - a. a summary of results of log entries made as required by Section III.E.5
  - b. a summary of any source testing results recorded as required by Section III.E.6

**Section IV. NON-APPLICABLE REQUIREMENTS**

Air Quality Administrative Rules of Montana (ARM) and Federal Regulations identified as not applicable to the facility or to a specific emissions unit at the time of the permit issuance are listed below (ARM 17.8.1214). The following list does not preclude the need to comply with any new requirements that may become applicable during the permit term.

**A. Facility-Wide**

The following table contains non-applicable requirements which are administrated by the Air Quality Bureau of the Department of Environmental Quality.

Rule Citation	Reason
ARM 17.8.610	These requirements are not applicable because the facility is not in this source category.
40 CFR 60, Subparts C, Ca, Cb, Cc, Cd 40 CFR 60, Subparts D, Da, Db, Dc 40 CFR 60, Subparts E-J 40 CFR 60, Subparts L-Z 40 CFR 60, Subparts AA-EE 40 CFR 60, Subparts GG-HH 40 CFR 60, Subparts KK-NN 40 CFR 60, Subparts PP-WW 40 CFR 60, Subparts AAA-DDD 40 CFR 60, Subparts FFF-LLL 40 CFR 60, Subparts NNN-QQQ 40 CFR 60, Subparts RRR-XXX 40 CFR 60, Subparts AAAA-DDDD 40 CFR 60, Subparts EEEE-FFFF 40 CFR 60, Subparts LLLL-MMMM 40 CFR 60, Subparts QQQQ-UUUU 40 CFR 61, Subparts B-F 40 CFR 61, Subparts H-L 40 CFR 61, Subparts N-R 40 CFR 61, Subparts T 40 CFR 61, Subparts V-W 40 CFR 61, Subparts Y 40 CFR 61, Subparts BB 40 CFR 61, Subparts FF 40 CFR 63, Subparts B-J 40 CFR 63, Subparts L-O 40 CFR 63, Subparts Q-U 40 CFR 63, Subparts W-Y 40 CFR 63, Subparts BB-EE 40 CFR 63, Subpart GG 40 CFR 63, Subpart II-NN 40 CFR 63, Subparts CCC-EEE 40 CFR 63, Subparts FFF-JJJ 40 CFR 63, Subparts LLL-RRR 40 CFR 63, Subparts TTT-VVV 40 CFR 63, Subparts XXX 40 CFR 63, Subpart AAAA 40 CFR 63, Subparts CCCC-YYYY	These requirements are not applicable because the facility is not an affected source as defined in these regulations.



Rule Citation	Reason
40 CFR 63, Subparts AAAAAA-NNNNN 40 CFR 63, Subparts PPPPP-UUUUU 40 CFR 63, Subparts WWWWW 40 CFR 63, Subparts YYYYY-ZZZZZ 40 CFR 63, Subparts DDDDDD- HHHHHH 40 CFR 63, Subparts LLLLLL-TTTTTT 40 CFR 63, Subparts VVVVVV-EEEEEE 40 CFR 63, Subpart HHHHHH	
40 CFR 72-78	These requirements are not applicable because the facility is not an affected source as defined by the acid rain regulations.
40 CFR 68 40 CFR 82	These requirements are not applicable because the facility is not an affected source as defined in these regulations.

## B. Emissions Units

The permit application identified applicable requirements: non-applicable requirements for individual or specific emissions units were not listed. DEQ has listed all non-applicable requirements in Section IV.A, these requirements relate to each specific unit, as well as facility wide.

## Section V. GENERAL PERMIT CONDITIONS

### A. Compliance Requirements

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(a)-(c)&(e), §1206(6)(c)&(b)

1. The permittee must comply with all conditions of the permit. Any noncompliance with the terms or conditions of the permit constitutes a violation of the Montana Clean Air Act, and may result in enforcement action, permit modification, revocation and reissuance, or termination, or denial of a permit renewal application under ARM Title 17, Chapter 8, Subchapter 12.
2. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. If appropriate, this factor may be considered as a mitigating factor in assessing a penalty for noncompliance with an applicable requirement if the source demonstrates that both the health, safety or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations, and that such health, safety or environmental impacts were unforeseeable and could not have otherwise been avoided.
4. The permittee shall furnish to DEQ, within a reasonable time set by DEQ (not to be less than 15 days), any information that DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to DEQ copies of those records that are required to be kept pursuant to the terms of the permit. This subsection does not impair or otherwise limit the right of the permittee to assert the confidentiality of the information requested by DEQ, as provided in 75-2-105, MCA.
5. Any schedule of compliance for applicable requirements with which the source is not in compliance with at the time of permit issuance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it was based.
6. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis unless a more detailed plan or schedule is required by the applicable requirement or DEQ.

### B. Certification Requirements

ARM 17.8, Subchapter 12, Operating Permit Program §1207 and §1213(7)(a)&(c)-(d)

1. Any application form, report, or compliance certification submitted pursuant to ARM Title 17, Chapter 8, Subchapter 12, shall contain certification by a responsible official of truth, accuracy and completeness. This certification and any other certification required under ARM Title 17, Chapter 8, Subchapter 12, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

2. Compliance certifications shall be submitted by February 15 of each year, or more frequently if otherwise specified in an applicable requirement or elsewhere in the permit. Each certification must include the required information for the previous calendar year (i.e., January 1 – December 31).
3. Compliance certifications shall include the following:
  - a. The identification of each term or condition of the permit that is the basis of the certification;
  - b. The identification of the method(s) or other means used by the owner or operator for determining the status of compliance with each term and condition during the certification period, consistent with ARM 17.8.1212;
  - c. The status of compliance with each term and condition for the period covered by the certification, *including whether compliance during the period was continuous or intermittent* (based on the method or means identified in ARM 17.8.1213(7)(c)(ii), as described above); and
  - d. Such other facts as DEQ may require to determine the compliance status of the source.
4. All compliance certifications must be submitted to the Environmental Protection Agency, as well as to DEQ, at the addresses listed in the Notification Addresses Appendix C of this permit.

### **C. Permit Shield**

#### ARM 17.8, Subchapter 12, Operating Permit Program §1214(1)-(4)

1. The applicable requirements and non-federally enforceable requirements are included and specifically identified in this permit and the permit includes a precise summary of the requirements not applicable to the source. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements and any non-federally enforceable requirements as of the date of permit issuance.
2. The permit shield described in 1 above shall remain in effect during the appeal of any permit action (renewal, revision, reopening, or revocation and reissuance) to the Board of Environmental Review (Board), until such time as the Board renders its final decision.
3. Nothing in this permit alters or affects the following:
  - a. The provisions of Sec. 7603 of the FCAA, including the authority of the administrator under that section;
  - b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
  - c. The applicable requirements of the Acid Rain Program, consistent with Sec. 7651g(a) of the FCAA;

- d. The ability of the administrator to obtain information from a source pursuant to Sec. 7414 of the FCAA;
  - e. The ability of DEQ to obtain information from a source pursuant to the Montana Clean Air Act, Title 75, Chapter 2, MCA;
  - f. The emergency powers of DEQ under the Montana Clean Air Act, Title 75, Chapter 2, MCA; and
  - g. The ability of DEQ to establish or revise requirements for the use of reasonably available control technology (RACT) as defined in ARM Title 17, Chapter 8. However, if the inclusion of a RACT into the permit pursuant to ARM Title 17, Chapter 8, Subchapter 12, is appealed to the Board, the permit shield, as it applies to the source's existing permit, shall remain in effect until such time as the Board has rendered its final decision.
4. Nothing in this permit alters or affects the ability of DEQ to take enforcement action for a violation of an applicable requirement or permit term demonstrated pursuant to ARM 17.8.106, Source Testing Protocol.
  5. Pursuant to ARM 17.8.132, for the purpose of submitting a compliance certification, nothing in these rules shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance. However, when compliance or noncompliance is demonstrated by a test or procedure provided by permit or other applicable requirements, the source shall then be presumed to be in compliance or noncompliance unless that presumption is overcome by other relevant credible evidence.
  6. The permit shield will not extend to minor permit modifications or changes not requiring a permit revision (see Sections I & J).
  7. The permit shield will extend to significant permit modifications and transfer or assignment of ownership (see Sections K & O).

**D. Monitoring, Recordkeeping, and Reporting Requirements**

ARM 17.8, Subchapter 12, Operating Permit Program §1212(2)&(3)

1. Unless otherwise provided in this permit, the permittee shall maintain compliance monitoring records that include the following information:
  - a. The date, place as defined in the permit, and time of sampling or measurement;
  - b. The date(s) analyses were performed;
  - c. The company or entity that performed the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of such analyses; and
  - f. The operating conditions at the time of sampling or measurement.

2. The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. All monitoring data, support information, and required reports and summaries may be maintained in computerized form at the plant site if the information is made available to Department personnel upon request, which may be for either hard copies or computerized format. Strip-charts must be maintained in their original form at the plant site and shall be made available to Department personnel upon request.
3. The permittee shall submit to DEQ, at the addresses located in the Notification Addresses Appendix C of this permit, reports of any required monitoring by February 15 and August 15 of each year, or more frequently if otherwise specified in an applicable requirement or elsewhere in the permit. The monitoring report submitted on February 15 of each year must include the required monitoring information for the period of July 1 through December 31 of the previous year. The monitoring report submitted on August 15 of each year must include the required monitoring information for the period of January 1 through June 30 of the current year. All instances of deviations from the permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official, consistent with ARM 17.8.1207.

#### **E. Prompt Deviation Reporting**

##### ARM 17.8, Subchapter 12, Operating Permit Program §1212(3)(b)

The permittee shall promptly report deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. To be considered prompt, deviations shall be reported to DEQ within the following timeframes (unless otherwise specified in an applicable requirement):

1. For deviations which may result in emissions potentially in violation of permit limitations:
  - a. An initial phone notification (or faxed or electronic notification) describing the incident within 24 hours (or the next business day) of discovery; and,
  - b. A follow-up written, faxed, or electronic report within 30 days of discovery of the deviation that describes the probable cause of the reported deviation and any corrective actions or preventative measures taken.
2. For deviations attributable to malfunctions, deviations shall be reported to DEQ in accordance with the malfunction reporting requirements under ARM 17.8.110; and
3. For all other deviations, deviations shall be reported to DEQ via a written, faxed, or electronic report within 90 days of discovery (as determined through routine internal review by the permittee).

Prompt deviation reports do not need to be resubmitted with regular semiannual (or other routine) reports, but may be referenced by the date of submittal.

## **F. Emergency Provisions**

ARM 17.8, Subchapter 12, Operating Permit Program §1201(13) and §1214(5), (6)&(8)

1. An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation and causes the source to exceed a technology-based emission limitation under this permit due to the unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of reasonable preventive maintenance, careless or improper operation, or operator error.
2. An emergency constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates through properly signed, contemporaneous logs, or other relevant evidence, that:
  - a. An emergency occurred and the permittee can identify the cause(s) of the emergency;
  - b. The permitted facility was at the time being properly operated;
  - c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit; and
  - d. The permittee submitted notice of the emergency to DEQ within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice fulfills the requirements of ARM 17.8.1212(3)(b). This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
3. These emergency provisions are in addition to any emergency, malfunction or upset provision contained in any applicable requirement.

## **G. Inspection and Entry**

ARM 17.8, Subchapter 12, Operating Permit Program §1213(3)&(4)

1. Upon presentation of credentials and other requirements as may be required by law, the permittee shall allow DEQ, the administrator, or an authorized representative (including an authorized contractor acting as a representative of DEQ or the administrator) to perform the following:
  - a. Enter the premises where a source required to obtain a permit is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
  - c. Inspect at reasonable times any facilities, emission units, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

- d. As authorized by the Montana Clean Air Act and rules promulgated thereunder, sample or monitor, at reasonable times, any substances or parameters at any location for the purpose of assuring compliance with the permit or applicable requirements.
2. The permittee shall inform the inspector of all workplace safety rules or requirements at the time of inspection. This section shall not limit in any manner DEQ's statutory right of entry and inspection as provided for in 75-2-403, MCA.

#### **H. Fee Payment**

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(f) and ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation, and Open Burning Fees §505(3)-(5) (STATE ONLY)

1. The permittee must pay application and operating fees, pursuant to ARM Title 17, Chapter 8, Subchapter 5.
2. Annually, DEQ shall provide the permittee with written notice of the amount of the fee and the basis for the fee assessment. The air quality operation fee is due 30 days after receipt of the notice, unless the fee assessment is appealed pursuant to ARM 17.8.511. If any portion of the fee is not appealed, that portion of the fee that is not appealed is due 30 days after receipt of the notice. Any remaining fee, which may be due after the completion of an appeal, is due immediately upon issuance of the Board's decision or upon completion of any judicial review of the Board's decision.
3. If the permittee fails to pay the required fee (or any required portion of an appealed fee) within 90 days of the due date of the fee, DEQ may impose an additional assessment of 15% of the fee (or any required portion of an appealed fee) or \$100, whichever is greater, plus interest on the fee (or any required portion of an appealed fee), computed at the interest rate established under 15-31-510(3), MCA.

#### **I. Minor Permit Modifications**

ARM 17.8, Subchapter 12, Operating Permit Program §1226(3)&(11)

1. An application for a minor permit modification need only address in detail those portions of the permit application that require revision, updating, supplementation, or deletion, and may reference any required information that has been previously submitted.
2. The permit shield under ARM 17.8.1214 will not extend to any minor modifications processed pursuant to ARM 17.8.1226.

#### **J. Changes Not Requiring Permit Revision**

ARM 17.8, Subchapter 12, Operating Permit Program §1224(1)-(3), (5)&(6)

1. The permittee is authorized to make changes within the facility as described below, provided the following conditions are met:
  - a. The proposed changes do not require the permittee to obtain a Montana Air Quality Permit under ARM Title 17, Chapter 8, Subchapter 7;

- b. The proposed changes are not modifications under Title I of the FCAA, or as defined in ARM Title 17, Chapter 8, Subchapters 8, 9, or 10;
  - c. The emissions resulting from the proposed changes do not exceed the emissions allowable under this permit, whether expressed as a rate of emissions or in total emissions;
  - d. The proposed changes do not alter permit terms that are necessary to enforce applicable emission limitations on emission units covered by the permit; and
  - e. The facility provides the administrator and DEQ with written notification at least 7 days prior to making the proposed changes.
2. The permittee and DEQ shall attach each notice provided pursuant to 1.e above to their respective copies of this permit.
3. Pursuant to the conditions above, the permittee is authorized to make Section 502(b)(10) changes, as defined in ARM 17.8.1201(30), without a permit revision. For each such change, the written notification required under 1.e above shall include a description of the change within the source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
4. The permittee may make a change not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided the following conditions are met:
  - a. Each proposed change does not weaken the enforceability of any existing permit conditions;
  - b. DEQ has not objected to such change;
  - c. Each proposed change meets all applicable requirements and does not violate any existing permit term or condition; and
  - d. The permittee provides contemporaneous written notice to DEQ and the administrator of each change that is above the level for insignificant emission units as defined in ARM 17.8.1201(22) and 17.8.1206(3), and the written notice describes each such change, including the date of the change, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
5. The permit shield authorized by ARM 17.8.1214 shall not apply to changes made pursuant to ARM 17.8.1224(3) and (5), but is applicable to terms and conditions that allow for increases and decreases in emissions pursuant to ARM 17.8.1224(4).



## **K. Significant Permit Modifications**

ARM 17.8, Subchapter 12, Operating Permit Program §1227(1), (3)&(4)

1. The modification procedures set forth in 2 below must be used for any application requesting a significant modification of this permit. Significant modifications include the following:
  - a. Any permit modification that does not qualify as either a minor modification or as an administrative permit amendment;
  - b. Every significant change in existing permit monitoring terms or conditions;
  - c. Every relaxation of permit reporting or recordkeeping terms or conditions that limit DEQ's ability to determine compliance with any applicable rule, consistent with the requirements of the rule; or
  - d. Any other change determined by DEQ to be significant.
2. Significant modifications shall meet all requirements of ARM Title 17, Chapter 8, including those for applications, public participation, and review by affected states and the administrator, as they apply to permit issuance and renewal, except that an application for a significant permit modification need only address in detail those portions of the permit application that require revision, updating, supplementation or deletion.
3. The permit shield provided for in ARM 17.8.1214 shall extend to significant modifications.

## **L. Reopening for Cause**

ARM 17.8, Subchapter 12, Operating Permit Program §1228(1)&(2)

This permit may be reopened and revised under the following circumstances:

1. Additional applicable requirements under the FCAA become applicable to the facility when the permit has a remaining term of 3 or more years. Reopening and revision of the permit shall be completed not later than 18 months after promulgation of the applicable requirement. No reopening is required under ARM 17.8.1228(1)(a) if the effective date of the applicable requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms or conditions have been extended pursuant to ARM 17.8.1220(12) or 17.8.1221(2);
2. Additional requirements (including excess emission requirements) become applicable to an affected source under the Acid Rain Program. Upon approval by the administrator, excess emission offset plans shall be deemed incorporated into the permit;
3. DEQ or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit; or
4. The administrator or DEQ determines that the permit must be revised or revoked and reissued to ensure compliance with the applicable requirements.

#### **M. Permit Expiration and Renewal**

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(g), §1220(11)&(12), and §1205(2)(d)

1. This permit is issued for a fixed term of 5 years.
2. Renewal of this permit is subject to the same procedural requirements that apply to permit issuance, including those for application, content, public participation, and affected state and administrator review.
3. Expiration of this permit terminates the permittee's right to operate unless a timely and administratively complete renewal application has been submitted consistent with ARM 17.8.1221 and 17.8.1205(2)(d). If a timely and administratively complete application has been submitted, all terms and conditions of the permit, including the application shield, remain in effect after the permit expires until the permit renewal has been issued or denied.
4. For renewal, the permittee shall submit a complete air quality operating permit application to DEQ not later than 6 months prior to the expiration of this permit, unless otherwise specified. If necessary to ensure that the terms of the existing permit will not lapse before renewal, DEQ may specify, in writing to the permittee, a longer time period for submission of the renewal application. Such written notification must be provided at least 1 year before the renewal application due date established in the existing permit.

#### **N. Severability Clause**

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(i)&(l)

1. The administrative appeal or subsequent judicial review of the issuance by DEQ of an initial permit under this subchapter shall not impair in any manner the underlying applicability of all applicable requirements, and such requirements continue to apply as if a final permit decision had not been reached by DEQ.
2. If any provision of a permit is found to be invalid, all valid parts that are severable from the invalid part remain in effect. If a provision of a permit is invalid in one or more of its applications, the provision remains in effect in all valid applications that are severable from the invalid applications.

#### **O. Transfer or Assignment of Ownership**

ARM 17.8, Subchapter 12, Operating Permit Program §1225(2)&(4)

1. If an administrative permit amendment involves a change in ownership or operational control, the applicant must include in its request to DEQ a written agreement containing a specific date for the transfer of permit responsibility, coverage and liability between the current and new permittee.
2. The permit shield provided for in ARM17.8.1214 shall not extend to administrative permit amendments.

#### **P. Emissions Trading, Marketable Permits, Economic Incentives**

ARM 17.8, Subchapter 12, Operating Permit Program §1226(2)

Notwithstanding ARM 17.8.1226(1) and (7), minor air quality operating permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in the Montana State Implementation Plan or in applicable requirements promulgated by the administrator.

**Q. No Property Rights Conveyed**

ARM 17.8, Subchapter 12, Operating Permit Program §1210(2)(d)

This permit does not convey any property rights of any sort, or any exclusive privilege.

**R. Testing Requirements**

ARM 17.8, Subchapter 1, General Provisions §105

The permittee shall comply with ARM 17.8.105.

**S. Source Testing Protocol**

ARM 17.8, Subchapter 1, General Provisions §106

The permittee shall comply with ARM 17.8.106.

**T. Malfunctions**

ARM 17.8, Subchapter 1, General Provisions §110

The permittee shall comply with ARM 17.8.110.

**U. Circumvention**

ARM 17.8, Subchapter 1, General Provisions §111

The permittee shall comply with ARM 17.8.111.

**V. Motor Vehicles**

ARM 17.8, Subchapter 3, Emission Standards §325

The permittee shall comply with ARM 17.8.325.

**W. Annual Emissions Inventory**

ARM 17.8, Subchapter 5, Air Quality Permit Application, Operation and Open Burning Fees §505 (STATE ONLY)

The permittee shall supply DEQ with annual production and other information for all emission units necessary to calculate actual or estimated actual amount of air pollutants emitted during each calendar year. Information shall be gathered on a calendar-year basis and submitted to DEQ by the date required in the emission inventory request, unless otherwise specified in this permit. Information shall be in the units required by DEQ.

**X. Open Burning**

ARM 17.8, Subchapter 6, Open Burning §604, 605 and 606

The permittee shall comply with ARM 17.8.604, 605 and 606.

## **Y. Montana Air Quality Permits**

### ARM 17.8, Subchapter 7, Permit, Construction and Operation of Air Contaminant Sources §745 and 764

1. Except as specified, no person shall construct, install, modify or use any air contaminant source or stack associated with any source without first obtaining a permit from DEQ or Board. A permit is not required for those sources or stacks as specified by ARM 17.8.744(1)(a)-(k).
2. The permittee shall comply with ARM 17.8.743, 744, 745, 748, and 764.
3. ARM 17.8.745(1) specifies de minimis changes as construction or changed conditions of operation at a facility holding a Montana Air Quality Permit (MAQP) issued under Chapter 8 that does not increase the facility's potential to emit by more than 5 tons per year of any pollutant, except:
  - a. Any construction or changed condition that would violate any condition in the facility's existing MAQP or any applicable rule contained in Chapter 8 is prohibited, except as provided in ARM 17.8.745(2);
  - b. Any construction or changed conditions of operation that would qualify as a major modification under Subchapters 8, 9 or 10 of Chapter 8;
  - c. Any construction or changed condition of operation that would affect the plume rise or dispersion characteristic of emissions that would cause or contribute to a violation of an ambient air quality standard or ambient air increment as defined in ARM 17.8.804;
  - d. Any construction or improvement project with a potential to emit more than 5 tons per year may not be artificially split into smaller projects to avoid Montana Air Quality Permitting; or
  - e. Emission reductions obtained through offsetting within a facility are not included when determining the potential emission increase from construction or changed conditions of operation, unless such reductions are made federally enforceable.
4. Any facility making a de minimis change pursuant to ARM 17.8.745(1) shall notify DEQ if the change would include a change in control equipment, stack height, stack diameter, stack gas temperature, source location or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emission unit. The notice must be submitted, in writing, 10 days prior to start up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change and must include the information requested in ARM 17.8.745(1).

## **Z. National Emission Standard for Asbestos**

### 40 CFR, Part 61, Subpart M

The permittee shall not conduct any asbestos abatement activities except in accordance with 40 CFR 61, Subpart M (National Emission Standard for Hazardous Air Pollutants for Asbestos).

**AA. Asbestos**

ARM 17.74, Subchapter 3, General Provisions and Subchapter 4, Fees

The permittee shall comply with ARM 17.74.301, *et seq.*, and ARM 17.74.401, *et seq.* (State only).

**BB. Stratospheric Ozone Protection – Servicing of Motor Vehicle Air Conditioners**

40 CFR, Part 82, Subpart B

If the permittee performs a service on motor vehicles and this service involves ozone-depleting substance/refrigerant in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR 82, Subpart B.

**CC. Stratospheric Ozone Protection – Recycling and Emission Reductions**

40 CFR, Part 82, Subpart F

The permittee shall comply with the standards for recycling and emission reductions in 40 CFR 82, Subpart F, except as provided for MVACs in Subpart B:

1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to §82.156;
2. Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158;
3. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technical certification program pursuant to §82.161;
4. Persons disposing of small appliances, MVACs and MVAC-like (as defined at §82.152) appliances must comply with recordkeeping requirements pursuant to §82.166;
5. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156; and
6. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to §82.166.

**DD. Emergency Episode Plan**

The permittee shall comply with the requirements contained in Chapter 9.7 of the State of Montana Air Quality Control Implementation Plan.

Each major source emitting 100 tons per year located in a Priority I Air Quality Control Region, shall submit to DEQ a legally enforceable Emergency Episode Action Plan (EEAP) that details how the source will curtail emissions during an air pollutant emergency episode. The industrial EEAP shall be in accordance with DEQ's EEAP and shall be submitted according to a timetable developed by DEQ, following Priority I reclassification.

## **EE. Definitions**

Terms not otherwise defined in this permit or in the Definitions and Abbreviations Appendix B of this permit, shall have the meaning assigned to them in the referenced regulations.

## APPENDICES

## APPENDIX A      INSIGNIFICANT EMISSIONS UNITS

**Disclaimer:** The information in this appendix is not State or Federally enforceable, but is presented to assist Phillips 66, the permitting authority, inspectors, and the public.

Pursuant to ARM 17.8.1201(22)(a), an insignificant emission unit means any activity or emissions unit located within a source that: (i) has a potential to emit less than five tons per year of any regulated pollutant; (ii) has a potential to emit less than 500 pounds per year of lead; (iii) has a potential to emit less than 500 pounds per year of hazardous air pollutants listed pursuant to section 7412 (b) of the FCAA; and (iv) is not regulated by an applicable requirement, other than a generally applicable requirement that applies to all emission units subject to Subchapter 12.

### List of Insignificant Activities:

The following table of insignificant sources and/or activities was provided by Phillips 66.

Emissions Unit ID	Description
IEU01	Miscellaneous Emissions (tank cleaning and additive tanks emissions)
IEU02	Facility Drains and Sumps



## APPENDIX B      DEFINITIONS and ABBREVIATIONS

**"Act"** means the Clean Air Act, as amended, 42 U.S. 7401, *et seq.*

**"Administrative permit amendment"** means an air quality operating permit revision that:

- (a) corrects typographical errors;
- (b) identifies a change in the name, address or phone number of any person identified in the air quality operating permit, or identifies a similar minor administrative change at the source;
- (c) requires more frequent monitoring or reporting by Phillips 66;
- (d) requires changes in monitoring or reporting requirements that DEQ deems to be no less stringent than current monitoring or reporting requirements;
- (e) allows for a change in ownership or operational control of a source if DEQ has determined that no other change in the air quality operating permit is necessary, consistent with ARM 17.8.1225; or
- (f) incorporates any other type of change which DEQ has determined to be similar to those revisions set forth in (a)-(e), above.

**"Applicable requirement"** means all of the following as they apply to emissions units in a source requiring an air quality operating permit (including requirements that have been promulgated or approved by DEQ or the administrator through rule making at the time of issuance of the air quality operating permit, but have future-effective compliance dates, provided that such requirements apply to sources covered under the operating permit):

- (a) any standard, rule, or other requirement, including any requirement contained in a consent decree or judicial or administrative order entered into or issued by DEQ, that is contained in the Montana state implementation plan approved or promulgated by the administrator through rule making under Title I of the FCAA;
- (b) any federally enforceable term, condition or other requirement of any Montana Air Quality Permit issued by DEQ under Subchapters 7, 8, 9 and 10 of this chapter, or pursuant to regulations approved or promulgated through rule making under Title I of the FCAA, including parts C and D;
- (c) any standard or other requirement under Section 7411 of the FCAA, including Section 7411(d);
- (d) any standard or other requirement under Section 7412 of the FCAA, including any requirement concerning accident prevention under Section 7412(r)(7), but excluding the contents of any risk management plan required under Section 7412(r);
- (e) any standard or other requirement of the acid rain program under Title IV of the FCAA or regulations promulgated thereunder;

- (f) any requirements established pursuant to Section 7661c(b) or Section 7414(a)(3) of the FCAA;
- (g) any standard or other requirement governing solid waste incineration, under Section 7429 of the FCAA;
- (h) any standard or other requirement for consumer and commercial products, under Section 7511b(e) of the FCAA;
- (i) any standard or other requirement for tank vessels, under Section 7511b(f) of the FCAA;
- (j) any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the FCAA, unless the administrator determines that such requirements need not be contained in an air quality operating permit;
- (k) any national ambient air quality standard or increment or visibility requirement under part C of Title I of the FCAA, but only as it would apply to temporary sources permitted pursuant to Section 7661c(e) of the FCAA; or
- (l) any federally enforceable term or condition of any air quality open burning permit issued by DEQ under Subchapter 6.

**“Cargo Tank”** means a delivery tank truck or railcar which is loading gasoline or distillate or which has loaded gasoline or distillate on the immediately previous load.

**"Department"** means the Montana Department of Environmental Quality and the Missoula City-County Health Department.

**"Emissions unit"** means any part or activity of a stationary source that emits or has the potential to emit any regulated air pollutant or any pollutant listed under Section 7412(b) of the FCAA. This term is not meant to alter or affect the definition of the term "unit" for purposes of Title IV of the FCAA.

**"FCAA"** means the Federal Clean Air Act, as amended.

**"Federally enforceable"** means all limitations and conditions which are enforceable by the administrator, including those requirements developed pursuant to 40 CFR Parts 60 and 61, requirements within the Montana state implementation plan, and any permit requirement established pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51, Subpart I, including operating permits issued under an EPA approved program that is incorporated into the Montana state implementation plan and expressly requires adherence to any permit issued under such program.

**"Fugitive emissions"** means those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening.

**"General air quality operating permit" or "general permit"** means an air quality operating permit that meets the requirements of ARM 17.8.1222, covers multiple sources in a source category, and is issued in lieu of individual permits being issued to each source.

**"Hazardous air pollutant"** means any air pollutant listed as a hazardous air pollutant pursuant to Section 112(b) of the FCAA.

**"Non-federally enforceable requirement"** means the following as they apply to emissions units in a source requiring an air quality operating permit:

- (a) any standard, rule, or other requirement, including any requirement contained in a consent decree, or judicial or administrative order entered into or issued by DEQ, that is not contained in the Montana state implementation plan approved or promulgated by the administrator through rule making under Title I of the FCAA;
- (b) any term, condition or other requirement contained in any Montana Air Quality Permit issued by DEQ under Subchapters 7, 8, 9 and 10 of this chapter that is not federally enforceable;
- (c) does not include any Montana ambient air quality standard contained in Subchapter 2 of this chapter.

**"Permittee"** means the owner or operator of any source subject to the permitting requirements of this subchapter, as provided in ARM 17.8.1204, that holds a valid air quality operating permit or has submitted a timely and complete permit application for issuance, renewal, amendment, or modification pursuant to this subchapter.

**"Regulated air pollutant"** means the following:

- (a) nitrogen oxides or any volatile organic compounds;
- (b) any pollutant for which a national ambient air quality standard has been promulgated;
- (c) any pollutant that is subject to any standard promulgated under Section 7411 of the FCAA;
- (d) any Class I or II substance subject to a standard promulgated under or established by Title VI of the FCAA; or
- (e) any pollutant subject to a standard or other requirement established or promulgated under Section 7412 of the FCAA, including but not limited to the following:
  - (i) any pollutant subject to requirements under Section 7412(j) of the FCAA. If the administrator fails to promulgate a standard by the date established in Section 7412(e) of the FCAA, any pollutant for which a subject source would be major shall be considered to be regulated on the date 18 months after the applicable date established in Section 7412(e) of the FCAA;
  - (ii) any pollutant for which the requirements of Section 7412(g)(2) of the FCAA have been met but only with respect to the individual source subject to Section 7412(g)(2) requirement.

**"Responsible official"** means one of the following:

- (a) For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:
  - (i) the facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars); or
  - (ii) the delegation of authority to such representative is approved in advance by DEQ.
- (b) For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
- (c) For a municipality, state, federal, or other public agency: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a regional administrator of the environmental protection agency).
- (d) For affected sources: the designated representative in so far as actions, standards, requirements, or prohibitions under Title IV of the FCAA or the regulations promulgated thereunder are concerned, and the designated representative for any other purposes under this subchapter.

## Abbreviations:

ARM	Administrative Rules of Montana
ASTM	American Society of Testing Materials
BACT	Best Available Control Technology
BDT	bone dry tons
BTU	British Thermal Unit
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
dscf	dry standard cubic foot
dscfm	dry standard cubic foot per minute
EEAP	Emergency Episode Action Plan
EPA	U.S. Environmental Protection Agency
EPA Method	Test methods contained in 40 CFR 60, Appendix A
EU	emissions unit
FCAA	Federal Clean Air Act
gr	grains
HAP	hazardous air pollutant
IEU	insignificant emissions unit
Mbdft	thousand board feet
Method 5	40 CFR 60, Appendix A, Method 5
Method 9	40 CFR 60, Appendix A, Method 9
MMBTU	million British Thermal Units
NO <sub>x</sub>	oxides of nitrogen
NO <sub>2</sub>	nitrogen dioxide
O <sub>2</sub>	oxygen
Pb	lead
PM	particulate matter
PM <sub>10</sub>	particulate matter less than 10 microns in size
psi	pounds per square inch
scf	standard cubic feet
SIC	Source Industrial Classification
SO <sub>2</sub>	sulfur dioxide
SO <sub>x</sub>	oxides of sulfur
tpy	tons per year
U.S.C.	United States Code
VE	visible emissions
VOC	volatile organic compound

## APPENDIX C NOTIFICATION ADDRESSES

### Compliance Notifications:

Montana Department of Environmental Quality  
Air, Energy & Mining Division  
Air Quality Bureau  
P.O. Box 200901  
Helena, MT 59620-0901

Enforcement and Compliance Assurance Division  
Air Enforcement Branch  
US EPA Region VIII, Montana Office  
10 W. 15<sup>th</sup> Street, Suite 3200  
Helena, MT 59626

### Permit Modifications:

Montana Department of Environmental Quality  
Air, Energy & Mining Division  
Air Quality Bureau  
P.O. Box 200901  
Helena, MT 59620-0901

Air and Radiation Division  
Permit and Monitoring Branch  
US EPA Region VIII, 8ARD-PM  
1595 Wynkoop Street  
Denver, CO 80202-1129

## APPENDIX D AIR QUALITY INSPECTOR INFORMATION

**Disclaimer:** The information in this appendix is not State or Federally enforceable, but is presented to assist Phillips 66, permitting authority, inspectors, and the public.

**1. Direction to Plant:** When traveling on I-90, take the Reserve Street exit. Travel south to Lower Grant Creek Road and make a right turn. Travel south on Lower Grant Creek Road until intersecting Raser Drive, turn southeast and watch for office sign.

### **2. Safety Equipment Required:**

All visitors entering the product terminal will be required to check in at the main office, sign in as a visitor, and go through Safety Orientation upon their arrival:

All representatives of regulatory agencies will be required to present picture identification, which will be scanned and kept for Phillip 66 records.

The safety and health of visitors entering the terminal is the responsibility of the facility manager. The personal protection required by the facility manager represents the minimum protection required. The visitor may be don additional protective equipment as requested or as desired.

Unless otherwise prescribed by the facility manager, personal Nomex clothing should be worn in all containment areas and areas where terminal personnel are performing maintenance on hydrocarbon-containing equipment. This includes the loading rack (truck and/or rail), tank farm and pumping areas. Nomex can be supplied to visitors upon arrival if needed.

All personnel should wear a hard hat in areas where overhead work is being conducted and areas of low overhang. Visitors are expected to provide head protection when entering the site.

Hearing protection areas are marked with appropriate signs. Protection should be worn whenever entering these areas. Hearing protection can be supplied to visitors upon arrival if needed.

Eye protection should be worn where there is a potential of hydrocarbon spills near the eye level. The facility manager if needed will supply eye protection. Eye protection can be supplied to visitors upon arrival if needed.

In the event of an emergency requiring evacuation of the facility, a prescribed evacuation exit should be used. Visitors are trained on emergency evacuation during safety orientation.

**3. Facility Plot Plan:** A facility plot plan is on file with DEQ.

## **APPENDIX E      LEAK DETECTION METHODS FOR VOC'S**

1. Each calendar month, sight, sound, or smell testing shall be conducted on areas of each vapor collection system capable of potential leaks. Each detection of a leak shall be recorded, and the leak repaired within 15 days after the leak is detected.
2. Alternate test methods may be used for determining compliance only after approval from DEQ.



## APPENDIX F CAM Plan for Gasoline Truck Loading Rack and Open Flame Flare

Emission Source: EU0001 – Truck Rack 1 and Open Flame Flare Petroleum liquid three bay truck loading rack with a vapor collection system vented to a thermal oxidation unit (open flame flare).

Summary of Monitoring Approach:

Monitoring Device	Indicator
Pilot Flame Temperature Sensor	Present/Not Present
Blower on/off indicator on combustion device	On/Off
Liquid level in liquid knock-out sump	Normal/High
Temperature Sensor at Flame Arrestor	Normal/High

**Flare Monitoring (Pilot Flame and Blower):** The flare has an interlock system tied to the presence of a pilot flame using a thermocouple and operation of a blower that prevents the operation of the flare and the loading of product at the rack when no pilot flame is present or the blower (air assist) is not operational. Due to the design of the flare, the presence of a pilot flame ensures that all gasoline loading vapors are combusted sufficiently to comply with the emission limit. Additionally, shutdown of product loading will occur if the emergency shutdown is manually activated on the loading rack, a high level or pressure is detected in the liquid seal in the vapor line, or a high temperature is detected at the flame arrestor.

**Loading Rack Product Loading and Vapor Collection System:** The integrity of the vapor collection system is maintained with by performing monthly inspections for liquid and vapor leaks using, sight, sound, and smell methodologies to include all VOC piping systems and the vapor collection system up to the combustion chamber on the flare. The presence of a leak in either a liquid or vapor component will be logged and is to be repaired within 15 days of discovery.

**Transport Trucks:** Transport trucks must meet annual vapor tightness testing. Expired tightness testing certifications automatically prevents truck loading to occur.

**Flare Routine Preventive Maintenance:** The flare is subject to a maintenance plan and on-going inspection to ensure proper operation of the unit. Repairs and replacement parts are logged.

## APPENDIX G CAM Plan for Gasoline Railcar Loading Rack and Vapor Combustion Unit

Emission Source: EU0002 –Rail Rack III and Enclosed Flame Vapor Combustion Unit. Petroleum liquid 30-spot railcar loading rack with a vapor collection system vented to a VCU.

Summary of Monitoring Approach:

Monitoring Device	Indicator
Pilot Flame Detector (fire-eye)	Present/Not Present
Blower on/off indicator –purge and air assist	On/Off
Back Pressure Transmitter	Shutdown 17.5” water column
Temperature Sensor at Flame Arrestor	Normal/High

**VCU Monitoring (Pilot Flame and Blower):** The VCU has an interlock system tied to the presence of a pilot flame using a fire-eye and operation of a blower that prevents the operation of the VCU and the loading of product at the rack when no pilot flame is present or the blower (air assist) is not operational. Due to the design of the VCU, the presence of a pilot flame ensures that all gasoline loading vapors are combusted sufficiently to comply with the emission limit. Additionally, shutdown of product loading will occur if the emergency shutdown is manually activated on the loading rack, a high pressure (>17.5” inches) is detected in the vapor line, or a high temperature is detected at the flame arrestor.

**Loading Rack Product Loading and Vapor Collection System:** The integrity of the vapor collection system is maintained with by performing monthly inspections for liquid and vapor leaks using, sight, sound, and smell methodologies to include all VOC piping systems and the vapor collection system up to the combustion chamber on the flare. The presence of a leak in either a liquid or vapor component will be logged and is to be repaired within 15 days of discovery.

**Railcars:** Railcars must meet annual vapor tightness testing. Expired tightness certification testing automatically prevents railcar loading to occur.

**VCU Routine Preventive Maintenance:** The VCU is subject to a maintenance plan and on-going inspection to ensure proper operation of the unit. Repairs and replacement parts are logged.