

08/22/1980

VOC480822801

Category: 48 General VOC Issues

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Office of Air Quality Planning and Standards
Research Triangle Park, North Carolina 27711

DATE: AUG 22 1980

SUBJECT: The Use of Permit Conditions to Define Potential to Emit

FROM: Richard G. Rhoads, Director
Control Programs Development Division (MD-15)

TO: Thomas W. Devine, Director
Air and Hazardous Materials Division, Region IV

This is in response to your memorandum of July 15, 1980 requesting guidance on using permit conditions to define a source's "potential to emit." Specifically, you cited a gasoline bulk terminal that had requested a change in their State operating permit that would limit gasoline throughput such that the terminal's VOC emissions would remain under 100 tons per year (TPY). The purpose of this request by the bulk terminal was to obviate the need for RACT controls at their facility.

Prior CPDD guidance has provided that urban and rural nonattainment areas not needing an extension until 1987 (by virtue of a demonstration of attainment by 1982) may have a source cutoff size of 100 tons per year. The use of permit modification to comply with the 100 TPY cutoff was not addressed.

The recently published PSD regulations (FR 52676, dated August 7, 1980) include as part of the definition of "potential to emit": "any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restriction on hours of operation or on the type or amount of material combusted, stored, or processed may be treated as part of its design only if the limitation or the effect it would have on emissions is Federally enforceable."

Source permits with conditions which are duly adopted by the State and submitted and then approved by EPA as part of the SIP are Federally enforceable. Therefore, it would appear that a restriction or condition on a State operating permit that would limit gasoline throughput such that the terminal is a 100 TPY source, the gasoline throughput of the terminal as well as the emissions from gasoline storage tanks at the facility must be added together. (See attached memorandum dated August 8, 1980 from G.T. Helms, Chief, CPOB, to John Hanisch, Mobile Source Emissions Section, Region I.) Care should be taken in determining the extent of several of storage facilities as there may be many tanks under one person's control at a large pipeline tank farm.

Determination of a daily emissions limit of corresponding gasoline throughput, commensurate with the <100 TPY level must be made for the inclusion in the permit. Thus, the source will be restricted from emitting at a 100+ TPY rate during the ozone season (summer) while complying with the annual restriction of <100 TPY. In addition, as a permit condition, provision must be made for record keeping and periodically reporting gasoline throughput. Long-term averages of gasoline throughput would not be acceptable.

Also, in that the original emission limit for this source is incorporated in the approved SIP for Mecklenburg County, the State must submit a revised attainment demonstration ensuring that RFP is maintained and that attainment by December 31, 1982 is achieved. This would be especially important if numerous sources were requesting changes in their operating permits.

In summary, in determining 100 more per year sources, operating restrictions on permits may be used under certain conditions to define potential to emit. Permits must specify proper record keeping, reporting requirements, and any other conditions deemed necessary to ensure compliance with the operating restrictions.

Please contact Tom Helms (FTS 629-5226) or Bill Polglase (FTS 629-6251) should you have any questions.

Attachment (Not Available)