



**Compliance and Enforcement Division
November 16, 2010
Compliance Advisory**

This Advisory is provided to inform you about activities of the Air District which may affect your operation. It is intended to assist you in your effort to achieve and maintain compliance with applicable air pollution regulations.

ATTENTION: BAY AREA BULK PLANTS

**SUBJECT: NEW REQUIREMENTS IN REGULATION 8, RULE 39,
GASOLINE BULK PLANTS AND GASOLINE CARGO TANKS**

On April 15, 2009, the Bay Area Air Quality Management District (District) Board of Directors adopted new emission and reporting requirements into Regulation 8, Rule 39, Gasoline Bulk Plants and Gasoline Cargo Tanks. Below is a summary of past and future compliance deadline dates that Bulk Plant operators should be aware of:

New requirements due by October 1, 2010:

- Gasoline bulk plants shall develop and submit a **Monitoring, Inspection, Notification and Reporting Plan** to the District for approval by **October 1, 2010**. See Appendix A for requirements of this plan. (8-39-404)

New requirements effective January 10, 2011:

- The **liquid fill hose connector seals** and **vapor hose connector seals**, and **pressure/vacuum valves (P/V)** shall be liquid leak free and vapor leak free. A violation of this requirement does not occur if the owner/operator discovers the connector leak and repairs or takes the equipment out of service within 8 hours. A violation of this requirement does not occur if the owner/operator discovers the P/V valve leak and repairs or takes the equipment out of service within 72 hours. (8-39-308.3 & 308.4)
- A **pressure gauge** shall be installed on the bulk plant vapor collection piping as close to the vapor hose connector as feasible. For bulk plants that utilize top loading arms, a pressure gauge shall be installed on the fixed vapor piping as close to the end or the top loading arm, as feasible. (8-39-308.5)
- The District-approved **Monitoring, Inspection, Notification and Reporting Plan** due by October 1, 2010 must be **implemented** by **January 10, 2011**. (8-39-404)

A new federal **National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR part 63 subpart BBBBBB** was promulgated in January 2008; the NESHAP has a compliance deadline of January 10, 2011. This NESHAP regulates area source gasoline bulk terminals, bulk plants and pipeline facilities. **All gasoline bulk plants are subject to this NESHAP.** In addition, **Bay Area sources defined as gasoline bulk plants that are subject to District Regulation 8, Rule 39 may be considered gasoline bulk terminals under the new NESHAP, 40 CFR part 63 subpart BBBBBB.** All gasoline storage and distribution facilities that have a maximum calculated design throughput of 20,000 gallons per day or greater are defined as bulk gasoline terminals in subpart BBBBBB and subject to additional and more stringent requirements, including required parametric monitoring for bulk gasoline terminals in the federal regulations. Gasoline bulk plants with calculated design throughput of 20,000 gallons per day or greater may contact their permit engineer to

apply for a throughput limit if they wish to be considered gasoline bulk plants under the federal regulations.

New requirements effective January 10, 2012:

- Prior to any maintenance and/or repair on the product or vapor hoses that requires opening the hoses to the atmosphere, a gasoline bulk plant shall transfer any retained liquid gasoline in hoses to either a **portable maintenance container** equipped with liquid and vapor hose connectors *or* to a **slop tank** through fixed piping or a liquid hose connector. The cover, seal, lid, or connector shall be in a closed position at all times except when the device is in use for liquid transfer, inspection, maintenance, or repairs. (8-39-305.2)

If you have any further needs, please call the District at the following numbers:

- ☎ For a copy of Regulation 8, Rule 39, please visit the District website at:
<http://www.baaqmd.gov/rules>
- ☎ For further questions regarding this Advisory contact: Mike Wall, Supervising Air Quality Specialist at (415) 749-4903, or mwall@baaqmd.gov
- ☎ For Source Test questions contact: Chuck McClure at (415) 749-4608, or cmclure@baaqmd.gov
- ☎ For District Permitting questions contact: Xuna Cai at (415) 749-4788, or xcai@baaqmd.gov
- ☎ For compliance assistance, call (415) 749-4999, the Compliance Counselor Hotline.

Kelly J. Wee
Director of Enforcement

Appendix A: Monitoring, Inspection, Notification and Reporting Plan

District guidance:

Note – this requirement is intended to ensure each bulk plant **holds itself accountable** to meeting the requirements in 8-39:

- Identify each requirement in 8-39. Identify each requirement in all other federal requirements (Subpart XX, R, BBBBBB, etc.) which may be more stringent than the requirements in 8-39.
- Create a specific task and frequency for each requirement, including a record that verifies the task has been completed per the schedule
- Clearly define the action required if one of the requirements is not met, including a record that verifies this action has been taken
- Provide a summary of the records kept, including any omissions and notifications to the APCO of requirements that were not met

Inspectors will review compliance with this plan and recordkeeping as a key part of their bulk plant inspection.