

Bay Area Air Quality Management District

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**Proposed
Statement of Basis
for
RENEWAL of**

MAJOR FACILITY REVIEW PERMIT

for
**TransMontaigne Operating Company, LLC – Martinez Terminal
Facility # A7034**

Facility Address:
2801 Waterfront Road
Martinez, CA 94553

Mailing Address:
2801 Waterfront Road
Martinez, CA 94553

Application Engineer: Christopher Ablaza
Site Engineer: Christopher Ablaza

Application(s): 30365

July 2022

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

TABLE OF CONTENTS

A.	Background	3
B.	Facility Description	4
C.	Permit Content.....	5
I.	Standard Conditions	5
II.	Equipment	5
III.	Generally Applicable Requirements	8
IV.	Source-Specific Applicable Requirements.....	8
V.	Schedule of Compliance.....	11
VI.	Permit Conditions.....	12
VII.	Applicable Limits and Compliance Monitoring Requirements	14
VIII.	Test Methods	18
IX.	Permit Shield:	18
X.	Revision History.....	19
XI.	Glossary	19
D.	Alternate Operating Scenarios:	19
E.	Compliance Status:	19
F.	Differences between the Application and the Proposed Permit:	20
Appendix - A	21

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

Title V Statement of Basis

A. Background

This facility is subject to the Operating Permit requirements of Title V of the federal Clean Air Act, Part 70 of Title 40 of the Code of Federal Regulations (CFR), and BAAQMD Regulation 2, Rule 6, Major Facility Review because it is a major facility as defined by BAAQMD Regulation 2-6-212. It is a major facility because it has the “potential to emit” (as defined by BAAQMD Regulation 2-6-218) more than 100 tons per year of a regulated air pollutant, and 10 tons per year of a hazardous air pollutant, or more than 25 tons per year of a combination of hazardous air pollutants.

Major Facility Operating permits (Title V permits) must meet specifications contained in 40 CFR Part 70 as contained in BAAQMD Regulation 2, Rule 6. The permits must contain all “applicable requirements” (as defined in BAAQMD Regulation 2-6-202), monitoring requirements, recordkeeping requirements, and reporting requirements. The permit holders must submit reports of all monitoring at least every six months and compliance certifications at least every year.

Pursuant to Regulation 2, Rule 6, section 416, the District has reviewed the terms and conditions of this Major Facility Review permit and determined that they are still valid and correct. This review included an analysis of applicability determinations for all sources, including those that have been modified or permitted since the issuance of the renewed Major Facility Review Permit. The review also included an assessment of all monitoring in the permit for sufficiency to determine compliance. The statement of basis documents for permit revisions that have occurred since the renewed Major Facility Review permit was issued are hereby incorporated by reference and are available upon request.

In the Bay Area, state and District requirements are also applicable requirements and are included in the permit. These requirements can be federally enforceable or non-federally enforceable. All applicable requirements are contained in Sections I through VI of the permit.

Each facility in the Bay Area is assigned a facility identifier that consists of a letter and a 4-digit number. This identifier is also considered to be the identifier for the permit. The identifier for this facility is A7034.

This facility received its initial Title V permit on March 12, 2001 under Shore Terminals, LLC (formerly known as Wickland Oil Company). The facility received its first renewed Title V permit on April 23, 2007 under Pacific Atlantic Terminals, LLC. The second permit renewal was issued on August 26, 2015 under Plains Products Terminals, LLC. This application is for a third permit renewal. The proposed permit shows all changes to the permit in strikeout/underline format.

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
 2801 Waterfront Rd., Martinez, CA 94553

B. Facility Description

The facility is a terminal for hire that leases tanks and provides transfer services to other companies. The facility does own any products themselves. The facility receives gasoline and petroleum products, and distributes them, either by pipelines or marine vessels.

This terminal includes fifteen fixed roof tanks, four external floating roof tanks, fifteen internal floating roof tanks, one marine loading/unloading wharf, one direct fired heater, one oil-water separator, and three emergency diesel generators. The fifteen fixed roof tanks that store gasoline or petroleum products, and the marine loading wharf are abated by two thermal oxidizers, A-1 and A-2.

The facility has submitted 5 applications since the Major Facility Review permit was renewed on August 26, 2015. Following is a list of these applications. This list includes applications that were submitted prior to, but not included in the renewed permit. Appendix A includes the engineering evaluations for these applications.

<u>Application #</u>	<u>Description</u>	<u>Date of Receipt</u>
27160	Minor Revision, Change Source Descriptions in Table II A and Change Facility and BAAQMD Contacts	5/7/2015
27840	Administrative Amendment, Change Responsible Official on Title V Permit	3/17/2016
29040	Administrative Amendment, Transfer Plant Ownership from Plains Products Terminals, LLC to TransMontaigne Operating Company, L.P. – Martinez Terminal, Change Responsible Official and Facility Contact	12/13/2017
31150	Minor Revision for NSR Application 30469 S-92 Emergency Diesel Generator Set	4/29/2020
30809	Minor Revision for NSR Application 30789, S-76, S-77, S-78 Change in Conditions	10/20/2020

Emission changes associated with the permit applications above are summarized in the following table:

Application-Description	Potential to Emit, Tons/yr				
	Organic	NOx	CO	PM	SO₂
31150 – Minor Revision for NSR Application 30469, S-92 Emergency Diesel Generator Set replacing S-75	0	0.025	0	0	0

Application-Description	Potential to Emit, Tons/yr				
	Organic	NO _x	CO	PM	SO ₂
30809 - Minor Revision for NSR Application 30789, S-76, S-77, and S-78 Change in Conditions	0	0	0	0	0
Total Emissions Increase	0	0.025	0	0	0

There were no changes in HAP emissions associated with the above permit applications.

C. Permit Content

The legal and factual basis for the permit follows. The permit sections are described in the order presented in the permit.

I. Standard Conditions

This section contains administrative requirements and conditions that apply to all facilities. If the Title IV (Acid Rain) requirements for certain fossil-fuel fired electrical generating facilities or the accidental release (40 CFR § 68) programs apply, the section will contain a standard condition pertaining to these programs. Many of these conditions derive from 40 CFR § 70.6, Permit Content, which dictates certain standard conditions that must be placed in the permit. The language that the District has developed for many of these requirements has been adopted into the BAAQMD Manual of Procedures, Volume II, Part 3, Section 4, and therefore must appear in the permit.

The standard conditions also contain references to BAAQMD Regulation 1 and Regulation 2. These are the District's General Provisions and Permitting rules.

Changes to Permit:

1. The dates of adoption and approval of rules in Standard Condition 1.A have been updated.

II. Equipment

This section of the permit lists all permitted or significant sources. Each source is identified by an S and a number (e.g., S24).

Permitted sources are those sources that require a BAAQMD operating permit pursuant to BAAQMD Rule 2-1-302.

**Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553**

Significant sources are those sources that have a potential to emit of more than 2 tons per year of a “regulated air pollutant” (as defined in BAAQMD Rule 2-6-222) or 400 pounds per year of a “hazardous air pollutant” (as defined in BAAQMD Rule 2-6-210).

All abatement (control) devices that control permitted or significant sources are listed. Each abatement device whose primary function is to reduce emissions is identified by an A and a number (e.g., A-24). If a source is also an abatement device, such as when an engine controls VOC emissions, it will be listed in the abatement device table but will have an “S” number. An abatement device may also be a source (such as a thermal oxidizer that burns fuel) of secondary emissions. If the primary function of a device is to control emissions, it is considered an abatement (or “A”) device. If the primary function of a device is a non-control function, the device is considered to be a source (or “S”).

The equipment section is considered to be part of the facility description. It contains information that is necessary for applicability determinations, such as fuel types, contents or sizes of tanks, etc. This information is part of the factual basis of the permit.

Each of the permitted sources has previously been issued a permit to operate pursuant to the requirements of BAAQMD Regulation 2, Permits. These permits are issued in accordance with state law and the District’s regulations. The capacities in the permitted sources table are the maximum allowable capacities for each source, pursuant to Standard Condition I.J and Regulation 2-1-403.

Previous Title V permits for this facility did not include throughput limits for sources. As part of the factual basis of the permit, current District practice is to add enforceable or reporting only limits to all sources with no existing throughput or emissions limits. For sources permitted relatively recently, this is a straightforward task because throughput limits are explicitly stated in permit conditions. However, for older sources, explicit throughput limits were not placed in permit conditions, and a review of the permitting history is necessary to determine the implicit throughput limits that were the basis of permit applications and analyses. For sources that were in operation prior to federal requirements and were never permitted through NSR review (aka "Grandfathered" sources), throughput limits for reporting purposes only are very difficult to determine. These limits can be based on design data, hydraulic limits, equipment bottlenecks, etc.

There was much discussion regarding the throughput limits associated with the sources associated with this facility. Two components of the historical facility permitting complicated the derivation of throughput limits. The first component is the multiple owners of the facility, and the missing or incomplete records available to the current owner. The second component is that this facility operates under a facility emissions cap (aka, a "Bubble").

Initially, based on the initial date of operation, it was thought sources S-1 through S-28 were grandfathered sources that were never granted an Authority to Construct by the District. However, records have been located that indicate that S-13, S-14, S-15, S-16 (external floating roof tanks) and S-21 (marine terminal) were modified and granted an Authority to Construct in 1987 via (former owner) Landsea Application 31392, and are therefore not grandfathered per

Regulation 2-1-234. This permit application was complex and processing was lengthy. Complete records are problematic because the permit was contentious. Available records indicate permitting began in 1984 when Landsea was first notified that it was operating in violation of District regulations, initially recommended for denial, and subsequently litigated prior to resolution with the 1987 Authority to Construct (that created the facility emissions cap).

There is indication that the other sources, all fixed roof tanks, were also subject to NSR because all of these tanks are abated, an existing and long-time BACT requirement. However, all of these sources are in the facility bubble that was created by the Landsea application. Sources can be part of a facility bubble without being subject to BACT review (since the purpose of a bubble is often to establish an emissions limit in order to address offsets from new or modified sources, and in this case only the new or modified sources are subject to BACT). In the case of Landsea Application 31392, it is clear that the fixed roof tanks were included in the bubble that was created to permit S-13, S-14, S-15, S-16 and S-21, but it is not clear if these fixed roof tanks are grandfathered sources.

There was no complete resolution of these throughput limits issues. The facility believes that, consistent with its interpretation of the intent of Landsea Application 31392 and Emissions Cap Permit Condition 1253, these implicit limits are not valid, and that the terminal is permitted to store crude oil, gasoline, and any organic material, at any throughput, in these tanks as long as it complies with the facility emissions cap, and that the Toxic Air Contaminant (TAC) profile of the organic liquid does not exceed the gasoline TAC profile. The facility proposed not to include any throughput limits or any specification of the permitted materials for a source, consistent with the current Title V permit. The District did not agree with this proposal. The District agrees that an updated and current emissions cap is an applicable firm grouped emissions limit. However, as explained in more detail in Section C.VI, pursuant to Regulations 2-2-101, 2-1-234, and 2-1-301, each individual source subject to the facility emissions cap is also subject to Regulation 2, Rule 2, New Source Review when any physical, throughput or operational change can or may increase emissions from that individual source. An Authority to Construct for any such change is required. In addition, if the stored materials contain Toxic Air Contaminants, these sources are also subject to the requirements of Regulation 2, Rule 5, New Source Review of Toxic Air Contaminants. The facility emissions cap does not include TAC limits. Therefore, any TAC changes or increases need to be reviewed by the District.

The District determined that the Equipment section of this Title V permit will not contain individual source limits if either no limit exists or if only implicit limits exist, but will instead refer to the Facility Emissions Cap and the Basis will be NSR Application 31392. The currently permitted materials will be included in the Description for all sources in the permit.

Changes to Permit:

1. Removed S-75 Emergency Diesel Generator from Table II-A
2. Added S-92 new Emergency Diesel Generator to Table II-A

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

III. Generally Applicable Requirements

This section of the permit lists requirements that generally apply to all sources at a facility including insignificant sources and portable equipment that may not require a District permit. If a generally applicable requirement applies specifically to a source that is permitted or significant, the standard will also appear in Section IV and the monitoring for that requirement will appear in Sections IV and VII of the permit. Parts of this section apply to all facilities (e.g., particulate, architectural coating, odorous substance, and sandblasting standards). In addition, standards that apply to insignificant or unpermitted sources at a facility (e.g., refrigeration units that use more than 50 pounds of an ozone-depleting compound) are placed in this section.

Unpermitted sources are exempt from normal District permits pursuant to an exemption in BAAQMD Regulation 2, Rule 1. They may, however, be specifically described in a Title V permit if they are considered “significant sources” as defined in BAAQMD Rule 2-6-239.

Changes to Permit:

1. The dates of adoption or approval of the rules and the “Federally Enforceable” status in Table III have been updated.

IV. Source-Specific Applicable Requirements

This section of the permit lists the applicable requirements that apply to permitted or significant sources. These applicable requirements are contained in tables that pertain to one or more sources that have the same requirements. The order of the requirements is:

- District Rules
- SIP Rules (if any) are listed following the corresponding District rules. SIP rules are District rules that have been approved by EPA for inclusion in the California State Implementation Plan. SIP rules are “federally enforceable” and a “Y” (yes) indication will appear in the “Federally Enforceable” column. If the SIP rule is the current District rule, separate citation of the SIP rule is not necessary and the “Federally Enforceable” column will have a “Y” for “yes”. If the SIP rule is not the current District rule, the SIP rule or the necessary portion of the SIP rule is cited separately after the District rule. The SIP portion will be federally enforceable; the non-SIP version will not be federally enforceable, unless EPA has approved it through another program.
- Other District requirements, such as the Manual of Procedures, as appropriate.
- Federal requirements (other than SIP provisions)
- BAAQMD permit conditions. The text of BAAQMD permit conditions is found in Section VI of the permit.
- Federal permit conditions. The text of Federal permit conditions, if any, is found in Section VI of the permit.

Section IV of the permit contains citations to all of the applicable requirements. The text of the requirements is found in the regulations, which are readily available on the District or EPA

websites, or in the permit conditions, which are found in Section VI of the permit. All monitoring requirements are cited in Section IV. Section VII is a cross-reference between the limits and monitoring requirements. A discussion of monitoring is included in Section C.VII of this permit evaluation/statement of basis.

Applicability of Federal Regulations to Storage Tanks.

The following table summarizes the storage tank applicability determination.

NSPS 40 CFR 60, Subpart K						
Tank Size		Date of Construction or Modification		True Vapor Pressure	Standard or Requirement	Reference
m3	Gallons	After	Before	psia		40 CFR
151.4 to 246.1	40,000 to 65,000	3/8/1974	5/19/1978	1.5 - 11.1	Floating roof or vapor recovery	60.112(a)(2)
> 246.1	> 65,000	6/11/1973	5/19/1978	> 11.1	Vapor Recovery	60.112(a)(1)
NSPS 40 CFR 60, Subpart Ka						
Tank Size		Date of Construction or Modification		True Vapor Pressure	Standard or Requirement	Reference
m3	Gallons	After	Before	psia		40 CFR
> 151.4	> 40,000	5/19/1978	7/23/1984	1.5 - 11.1	Floating roof or vapor recovery	60.112a(a)
				> 11.1	Vapor Recovery	60.112a(b)
NSPS 40 CFR 60, Subpart Kb						
Date of Construction or Modification		Tank Size		True Vapor Pressure	Standard or Requirement	Reference
After	Before	m3	Gallons	psia		40 CFR
7/23/1984	N/A	< 151	< 39,894	< 0.5	Exempt	60.110b(b)
		> 75	> 19,815	< 2.17	Exempt	60.110b(b)
		< 151	< 39,894			
		> 151	> 39,894	0.75 - 11.1	1. IFR 2. EFR 3. Vapor Recovery	60.112b(a)
		> 75 < 151	> 19,815 < 39,894	4.00 - 11.1		
> 75	> 19,815	> 11.1	Vapor Recovery and Control	60.112b(b)(1)		

**Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553**

NESHAPS MACT 40 CFR 63, Subpart R						
Date of Construction or Modification		Tank Size		True Vapor Pressure	Standard or Requirement	Reference
After	Before	m3	Gallons	psia		40 CFR
Any Tank in Gasoline Service		>75	> 19,815	Any	40 CFR 60 Subpart Kb	63.423(a)

Fixed Roof Tanks S-1 through S-10 were constructed before 1978, have a capacity over 65,000 gallons, and are permitted to store gasoline. Therefore, these tanks are subject to NSPS Subpart K by date of construction, and MACT Subpart R, and therefore are subject to parts of NSPS Subpart Kb.

Fixed Roof Tanks S-11, S-18 and S-19 were constructed before 1978, are permitted to store gasoline, but have a capacity less than 40,000 gallons. Therefore, they are not subject to NSPS Subpart K or MACT Subpart R.

Fixed Roof Tank S-12 was constructed before 1978, is permitted to store gasoline, and has a capacity greater than 19,815 gallons. Therefore, it is not subject to NSPS Subpart K but is subject MACT Subpart R, and therefore is subject to parts of NSPS Subpart Kb.

External Floating Roof Tanks S-13 through S-16 were modified and granted an Authority to Construct on 9/25/1987 and have a capacity over 39,894 gallons. Therefore, they are subject to NSPS Subpart Kb. These tanks are not permitted to store gasoline. Therefore, they are not subject to MACT Subpart R.

Fixed Roof Tanks S-27 and S-28 were constructed in 1980 and permitted to former terminal owner UCO Oil Company. They have a capacity over 40,000 gallons and are permitted to store gasoline. Therefore, these tanks are subject to NSPS Subpart Ka by date of construction, and MACT Subpart R, and therefore are subject to parts of NSPS Subpart Kb.

Internal Floating Roof Tanks S-76 through S-90 were constructed after 1984, have a capacity over 39,894 gallons, and are permitted to store gasoline. Therefore, these tanks are subject to NSPS Subpart Kb and MACT Subpart R.

Changes to Permit:

1. In Table IV-B for S-12, S-18, and S-19 a missing section of Regulation 8-5 was added and the “Federally Enforceable” was corrected for two sections of Regulation 8-5.
2. In Table IV-I, the regulation titles or descriptions were updated for Sections 6-1-310, 6-1-310.3, 6-1-311, and 6-1-601; and Section 6-1-602 was added.
3. In Table IV-J.1, S-75 was removed and S-92 Emergency Diesel Generator was added.
4. In Table IV-J.1, the regulation titles or descriptions were updated for Sections 6-1-303.1, 6-1-310.3, 6-1-601, and 9-1-304; Section 6-1-602 was added; some CARB ATCM sections were updated; 40 CFR 60 Subpart III requirements were added; some of 40

CFR Part 63 Subpart ZZZZ sections were updated; BAAQMD Condition # 27292 was added and BAAQMD Condition # 19308 was removed.

5. In Table IV-J.2, the regulation titles or descriptions were updated for Sections 6-1-303.1, 6-1-310.3, 6-1-601, and 9-1-304; Section 6-1-602 was added; and some CARB ATCM sections were updated.
6. In Table IV-O, the regulation titles or descriptions were updated for Sections 6-1-310 and 6-1-601; and Section 6-1-602 was added.
7. The dates of adoption or approval of some rules were updated.

V. Schedule of Compliance

A schedule of compliance is required in all Title V permits pursuant to BAAQMD Regulation 2-6-409.10 which provides that a major facility review permit shall contain the following information and provisions:

“409.10 A schedule of compliance containing the following elements:

- 10.1 A statement that the facility shall continue to comply with all applicable requirements with which it is currently in compliance;
- 10.2 A statement that the facility shall meet all applicable requirements on a timely basis as requirements become effective during the permit term; and
- 10.3 If the facility is out of compliance with an applicable requirement at the time of issuance, revision, or reopening, the schedule of compliance shall contain a plan by which the facility will achieve compliance. The plan shall contain deadlines for each item in the plan. The schedule of compliance shall also contain a requirement for submission of progress reports by the facility at least every six months. The progress reports shall contain the dates by which each item in the plan was achieved and an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.”

The responsible official for TransMontaigne Operating Company, LLC, submitted a signed Certification Statement form dated April 28, 2022. On this form, the responsible official certified that the following four statements are true:

Based on information and belief formed after reasonable inquiry, the source(s) identified in the Applicable Requirements and Compliance Summary form that is(are) in compliance will continue to comply with the applicable requirement(s);

Based on information and belief formed after reasonable inquiry, the source(s) identified in the Applicable Requirements and Compliance Summary form will comply with future-effective applicable requirement(s), on a timely basis;

Based on information and belief formed after reasonable inquiry, information on application forms, all accompanying reports, and other required certifications is true, accurate, and complete;

All fees required by Regulation 3, including Schedule P have been paid.

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

VI. Permit Conditions

During the Title V permit development, the District has reviewed the existing permit conditions, deleted the obsolete conditions, and, as appropriate, revised the conditions for clarity and enforceability. Each permit condition is identified with a unique numerical identifier, up to five digits.

When necessary to meet Title V requirements, additional monitoring, recordkeeping, or reporting requirements have been added to the permit.

All changes to existing permit conditions are clearly shown in “strike-out/underline” format in the proposed permit. When the permit is issued, all “strike-out” language will be deleted and all “underline” language will be retained, subject to consideration of comments received.

The existing permit conditions are derived from previously issued District Authorities to Construct (A/C) or Permits to Operate (P/O). Permit conditions may also be imposed or revised as part of the annual review of the facility by the District pursuant to California Health and Safety Code (H&SC) § 42301(e), through a variance pursuant to H&SC § 42350 *et seq.*, an order of abatement pursuant to H&SC § 42450 *et seq.*, or as an administrative revision initiated by District staff. After issuance of the Title V permit, permit conditions will be revised using the procedures in Regulation 2, Rule 6, Major Facility Review.

The District has reviewed and, where appropriate, revised or added new annual and daily throughput limits on sources so as to help ensure compliance with District rules addressing preconstruction review. The applicability of preconstruction review depends on whether there is a “modified source” as defined in District Rule 2-1-234. Whether there is a modified source depends in part on whether there has been an “increase” in “emission level.” 2-1-234 defines what will be considered an emissions level increase, and takes a somewhat different approach depending on whether a source has previously permitted by the District.

Sources that were modified or constructed since the District began issuing new source review permits will have permits that contain throughput limits, and these limits are reflected in the Title V permit. These limits have previously undergone District review, and are considered to be the legally binding “emission level” for purposes of 2-234.1 and 2-1-234.2. By contrast, for older sources that have never been through preconstruction review (commonly referred to as “grandfathered” sources), an “increase” in “emission level” is addressed in 2-1-234.3. A grandfathered source is not subject to preconstruction review unless its emission level increases above the highest of either: 1) the design capacity of the source, 3) the capacity listed in a permit to operate, or 3) highest capacity demonstrated prior to March 2000. However, if the throughput capacity of a grandfathered source is limited by upstream or downstream equipment (i.e., is “bottlenecked”), then the relaxing of that limitation (“debottlenecking”) is considered a modification.

The District has written throughput limits into the Title V permit for grandfathered sources. As discussed above, these limits are written for the purpose of determining whether an increase in emission levels has occurred. The purpose of these limits is to facilitate implementation of

preconstruction review program. If these limits are exceeded, the facility would be expected to report the exceedance, and the District would treat the reported exceedance as presumptively establishing the occurrence of a modification. The facility would then be expected to apply for a preconstruction permit addressing the modification and the District would consider whether an enforcement action was appropriate.

It is important to note the presumptive nature of throughput limits for grandfathered sources that are created in the Title V permit. These limits are generally based upon the District's review of information provided by the facility regarding the design capacity or highest documented capacity of the grandfathered source. To verify whether these limits reflect the true design, documented, or "bottlenecked" capacity (pursuant to 2-1-234) of each source is beyond the resource abilities of the District in this Title V process. Moreover, the District cannot be completely confident that the facility has had time or resources necessary to provide the most accurate information available in this regard. Creating throughput limits in the Title V permit for grandfathered sources is not required by either Part 70 or the District's Major Facility Review rules. Despite the lack of such a requirement, and despite the resource and information challenges presented in the Title V process, the District believes that writing presumptive limits for grandfathered sources into the Title V permit will provide a measure of predictability regarding the future applicability of the preconstruction review program, and that this increased predictability is universally beneficial.

It follows from the presumptive nature of these throughput limits for grandfathered sources that exceedance of these limits is not per se a violation of the permit. *Failure to report an exceedance would be a permit violation.* In this sense, the throughput limits function as monitoring levels, and are imposed pursuant to the District's authority to required monitoring that provide a reasonable assurance of compliance. If an exceedance occurs, the facility would have an opportunity to demonstrate that the throughput limit in fact did not reflect the appropriate limit for purposes of 2-1-234.3. If the facility can demonstrate this, no enforcement action would follow, and the permit would be revised at the next opportunity. It also follows that compliance with these limits is not a "safe harbor" for the facility. If evidence clearly shows that a grandfathered source has undergone a "modification" as defined in 2-1-234.3, the District would consider that a preconstruction review-triggering event, notwithstanding compliance with the throughput limit in the Title V permit. In other words, the protection afforded the facility by complying with the throughput limit in the Title V permit is only as strong as the information on which it was based. There is no Title V "permit shield" associated with throughput limits for grandfathered sources, as they are being proposed. A shield may be provided if the District determines with certainty that a particular limit is appropriate for purposes of 2-1-234.3.

Conditions that are obsolete or that have no regulatory basis have been deleted from the permit.

Conditions have also been deleted due to the following:

- Redundancy in recordkeeping requirements.
- Redundancy in other conditions, regulations and rules.
- The condition has been superseded by other regulations and rules.
- The equipment has been taken out of service or is exempt.
- The event has already occurred (i.e. initial or start-up source tests).

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

The regulatory basis is listed following each condition. The regulatory basis may be a rule or regulation. The District is also using the following terms for regulatory basis:

- BACT: This term is used for a condition imposed by the Air Pollution Control Officer (APCO) to ensure compliance with the Best Available Control Technology in Regulation 2-2-301.
- Cumulative Increase: This term is used for a condition imposed by the APCO that limits a source's operation to the operation described in the permit application pursuant to BAAQMD Regulation 2-1-403.
- Offsets: This term is used for a condition imposed by the APCO to ensure compliance with the use of offsets for the permitting of a source or with the banking of emissions from a source pursuant to Regulation 2, Rules 2 and 4.
- PSD: This term is used for a condition imposed by the APCO to ensure compliance with a Prevention of Significant Deterioration permit issued pursuant to Regulation 2, Rule 2.

Changes to Permit:

1. Permit Condition 19308 for S-75 Emergency Diesel Generator was removed.
2. Permit Condition 27292 was added for S-92 Emergency Diesel Generator.
3. Permit Condition 20060 was amended per the Change of Condition approved under NSR Application 30789.

VII. Applicable Limits and Compliance Monitoring Requirements

This section of the permit is a summary of numerical limits and related monitoring requirements for each source. The summary includes a citation for each monitoring requirement, frequency of monitoring, and type of monitoring. The applicable requirements for monitoring are completely contained in Sections IV, Source-Specific Applicable Requirements, and VI, Permit Conditions, of the permit.

The District has reviewed all monitoring and has determined the existing monitoring is adequate with the following exceptions.

The tables below contain only the limits for which there is no monitoring or inadequate monitoring in the applicable requirements. The District has examined the monitoring for other limits and has determined that monitoring is adequate to provide a reasonable assurance of compliance. Calculations for potential to emit will be provided in the discussion when no monitoring is proposed due to the size of a source.

Monitoring decisions are typically the result of a balancing of several different factors including: 1) the likelihood of a violation given the characteristics of normal operation, 2) degree of variability in the operation and in the control device, if there is one, 3) the potential severity of impact of an undetected violation, 4) the technical feasibility and probative value of indicator monitoring, 5) the economic feasibility of indicator monitoring, and 6) whether there is some other factor, such as a different regulatory restriction applicable to the same operation, that also provides some assurance of compliance with the limit in question.

These factors are the same as those historically applied by the District in developing monitoring for applicable requirements. It follows that, although Title V calls for a re-examination of all monitoring, there is a presumption that these factors have been appropriately balanced and incorporated in the District's prior rule development and/or permit issuance. It is possible that, where a rule or permit requirement has historically had no monitoring associated with it, no monitoring may still be appropriate in the Title V permit if, for instance, there is little likelihood of a violation. Compliance behavior and associated costs of compliance are determined in part by the frequency and nature of associated monitoring requirements. As a result, the District will generally revise the nature or frequency of monitoring requirements only when it can support a conclusion that existing monitoring is inadequate.

SO₂ Sources

S# & Description	Emission Limit Citation	Federally Enforceable Emission Limit	Monitoring
S-73, Direct Fired Heater	BAAQMD 9-1-301	Ground level concentrations of SO ₂ shall not exceed: 0.5 ppm for 3 consecutive minutes AND 0.25 ppm averaged over 60 consecutive minutes AND 0.05 ppm averaged over 24 hours	None
S-73, Direct Fired Heater	BAAQMD 9-1-302	300 ppm (dry)	None
S-92, Emergency Diesel Generator S-91, Emergency Diesel Firewater Pump	BAAQMD 9-1-301	Ground level concentrations of SO ₂ shall not exceed: 0.5 ppm for 3 consecutive minutes AND 0.25 ppm averaged over 60 consecutive minutes AND 0.05 ppm averaged over 24 hours	None
S-92, Emergency Diesel Generator S-91, Emergency Diesel Firewater Pump	BAAQMD 9-1-302	300 ppm (dry)	None
A-1, Thermal Oxidizer	BAAQMD 9-1-301	Ground level concentrations of SO ₂ shall not exceed: 0.5 ppm for 3 consecutive minutes AND 0.25 ppm averaged over 60 consecutive minutes AND 0.05 ppm averaged over 24 hours	None
A-1, Thermal Oxidizer	BAAQMD 9-1-302	300 ppm (dry)	None

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
 2801 Waterfront Rd., Martinez, CA 94553

SO₂ Discussion:

BAAQMD Regulation 9-1-301

Area monitoring to demonstrate compliance with the ground level SO₂ concentration requirements of Regulation 9-1-301 is at the discretion of the APCO (per BAAQMD Regulation 9-1-501). This facility does not have equipment that emits large amounts of SO₂ and therefore is not required to have ground level monitoring by the APCO.

All facility combustion sources are subject to the SO₂ emission limitations in District Regulation 9, Rule 1 (ground-level concentration and emission point concentration). In EPA's June 24, 1999 agreement with CAPCOA and ARB, "Periodic Monitoring Recommendations for Generally Applicable Requirements in SIP", EPA has agreed that natural-gas-fired combustion sources do not need additional monitoring to verify compliance with Regulation 9, Rule 1, since violations of the regulation are unlikely. Therefore, no monitoring is necessary for this requirement.

PM Sources

S# & Description	Emission Limit Citation	Federally Enforceable Emission Limit	Monitoring
S-73, Direct Fired Heater	BAAQMD Regulation 6-1-301	Ringelmann 1.0	None
S-73, Direct Fired Heater	BAAQMD Regulation 6-1-310.1	0.15 gr/dscf	None
S-73, Direct Fired Heater	BAAQMD Regulation 6-1-310.3	0.15 gr/dscf at 6% O ₂	None
S-73, Direct Fired Heater	BAAQMD Regulation 6-1-311.1	4.10P ^{0.67} lb/hr, where P is process weight, lb/hr	None
S-92, Emergency Diesel Generator S-91, Emergency Diesel Firewater Pump	BAAQMD Regulation 6-1-301	Ringelmann 1.0	None
S-92, Emergency Diesel Generator S-91, Emergency Diesel Firewater Pump	BAAQMD Regulation 6-1-310.1	0.15 gr/dscf	None
S-92, Emergency Diesel Generator S-91, Emergency Diesel Firewater Pump	BAAQMD Regulation 6-1-310.3	0.15 gr/dscf at 6% O ₂	None

PM Discussion:

BAAQMD Regulation 6, Rule 1 “Particulate Matter General Requirements”

Visible Emissions

BAAQMD Regulation 6-1-301 limits visible emissions to no darker than 1.0 on the Ringelmann Chart (except for periods or aggregate periods less than 3 minutes in any hour). Visible emissions are normally not associated with combustion of gaseous fuels, such as natural gas. Source S-73 burns natural gas exclusively (Permit Condition 13720, Part 4), therefore, per the EPA's June 24, 1999 agreement with CAPCOA and ARB titled “Summary of Periodic Monitoring Recommendations for Generally Applicable Requirements in SIP”, no monitoring is required to assure compliance with this limit for these sources.

In accordance with the June 24, 1999 “Periodic Monitoring Recommendations for Generally Applicable Requirements” prepared by the CAPCOA/CARB/EPA Region IX periodic monitoring workgroup, the facility need not conduct opacity monitoring for diesel standby and emergency reciprocating engines.

Particulate Weight Limitation

BAAQMD Regulation 6-1-310.1 limits total suspended particulate (TSP) emissions from any source to 0.15 grains per dry standard cubic foot (gr/dscf) of exhaust volume. Section 310.3 requires the measured concentration of TSP emissions from “heat transfer operations” be corrected to standard conditions @ 6% O₂. These are the “grain loading” standards. Sections 310.2 and 311.2 subject sources with a Potential to Emit TSP greater than 1,000 kg per year to allowable TSP concentrations per Table 6-1-310.2 and allowable TSP Emissions Limits per Table 6-1-311.2, respectively. The facility’s PTE for particulate emissions is below 1,000 kg/year, therefore Sections 310.2 and 311.2 do not apply to sources S-73, S-91, and S-92.

Exceedances of the grain loading standards are normally not associated with combustion of gaseous fuels, such as natural gas. Source S-73 burns natural gas exclusively (Permit Condition 13720, Part 4), therefore, per the EPA's July 2001 agreement with CAPCOA and ARB entitled "CAPCOA/CARB/EPA Region IX Recommended Periodic Monitoring for Generally Applicable Grain Loading Standards in the SIP: Combustion Sources: Summary of Periodic Monitoring Recommendations for Generally Applicable Requirements in SIP", no monitoring is required to assure compliance with this limit for these sources.

In accordance with the July 2001 “CAPCOA/CARB/EPA Region IX Recommended Periodic Monitoring for Generally Applicable Grain Loading Standards in the SIP: Combustion Sources,” the facility need not monitor engine exhaust of non-utility distillate-oil-fueled emergency piston-type IC engines, but must maintain records of all engine usage.

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

Changes to Permit:

1. Table VII – I for S-73 was updated to reflect the changes to BAAQMD Regulation 6-1-310 effective 8/1/2018.
2. Table VII – J.1 was updated to reflect the replacement of S-75 with S-92 and the changes to BAAQMD Regulation 6-1-310 effective 8/1/2018.
3. Table VII – J.2 for S-91 was updated to reflect the changes to BAAQMD Regulation 6-1-310 effective 8/1/2018.
4. Table VII – K for S-76, S-77, S-78 was updated to reflect the changes to Condition 20060.
5. Table VII – O for A-1 was updated to reflect the changes to BAAQMD Regulation 6-1-310 effective 8/1/2018.
6. Table VII – P for FACILITY was updated to reflect removal of S-74 and replacement of S-75 with S-92.

VIII. Test Methods

This section of the permit lists test methods that are associated with standards in District or other rules. It is included only for reference. In most cases, the test methods in the rules are source test methods that can be used to determine compliance but are not required on an ongoing basis. They are not “applicable requirements” as defined by Regulation 2-6-202.

If a rule or permit condition requires ongoing testing, the requirement will also appear in Section IV of the permit.

Changes to Permit:

1. There were no changes to Test Methods Section

IX. Permit Shield:

Air District rules allow two types of permit shields. The permit shield types are defined as follows: (1) A provision in a major facility review permit explaining that specific federally enforceable regulations and standards do not apply to a source or group of sources, or (2) A provision in a major facility review permit explaining that specific federally enforceable applicable requirements for monitoring, recordkeeping and/or reporting are subsumed because other applicable requirements for monitoring, recordkeeping, and reporting in the permit will assure compliance with all emission limits.

The second type of permit shield is allowed by EPA’s “White Paper 2 for Improved Implementation of the Part 70 Operating Permits Program.” The District uses the second type of permit shield for all streamlining of monitoring, recordkeeping, and reporting requirements in Title V permits. The District’s program does not allow other types of streamlining in Title V permits.

This facility has no permit shields.

Changes to Permit:

There were no changes to the Permit Shield Section

X. Revision History

Changes to Permit:

This section will be updated once this permit is issued in its final form.

XI. Glossary

Changes to Permit:

The glossary was updated.

D. Alternate Operating Scenarios:

No alternate operating scenario has been requested for this facility.

E. Compliance Status:

The responsible official for TransMontaigne Operating Company LLC – Martinez Terminal submitted a signed Certification Statement form dated April 28, 2022. On this form, the responsible official certified that the following four statements are true:

Based on information and belief formed after reasonable inquiry, the source(s) identified in the Applicable Requirements and Compliance Summary form that is(are) in compliance will continue to comply with the applicable requirement(s);

Based on information and belief formed after reasonable inquiry, the source(s) identified in the Applicable Requirements and Compliance Summary form will comply with future-effective applicable requirement(s), on a timely basis;

Based on information and belief formed after reasonable inquiry, information on application forms, all accompanying reports, and other required certifications is true, accurate, and complete;

All fees required by Regulation 3, including Schedule P have been paid.

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

F. Differences between the Application and the Proposed Permit:

The Title V permit application was originally submitted on February 20, 2020. This version is the basis for constructing the proposed Title V permit. Revisions were made to the Renewal Application 23957 as a result of changes at the facility that were made pursuant to the Permit Applications detailed in Part B of this Statement of Basis.

Throughput limits (identified by a basis of Regulation 2-1-234.3) have been added to sources with no existing throughput or emission limits, as explained in Section C.II of this Statement of Basis.

Appendix A

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

APPENDIX A – ENGINEERING EVALUATIONS

ENGINEERING EVALUATION

Facility ID No. 24089
TransMontaigne Operating LP
2801 Waterfront Rd, Martinez, CA 94553
Application No. 30469

Background

TransMontaigne Operating LP is applying for an Authority to Construct for the following equipment:

S-92 Emergency Standby Diesel Generator Set
Make: John Deere, Model: JU6H-UFADQ0, Model Year: 2020
224 bhp, 1.49 MMBtu/hr
Permit Condition No. 27292

S-92 will replace an existing S-75 145 hp Cummins Diesel Emergency Engine. The criteria pollutants are nitrogen oxides (NO_x), carbon monoxide (CO), precursor organic compounds (POC) from unburned diesel fuel, sulfur dioxide (SO₂) and particulate matter (PM₁₀). All of these pollutants are briefly discussed on the District's web site at www.baaqmd.gov.

S-92 meets the Environmental Protection Agency and California Air Resources Board (EPA/CARB) Tier 3 Off-road standard. The engine will burn commercially available California low sulfur diesel fuel. The sulfur content of the diesel fuel will not exceed 0.0015% by weight.

This evaluation report will discuss compliance of the proposed project with all applicable rules and regulations.

Emissions

Table 1. Annual and Daily Emissions from EPA/CARB Certified Data from S-92

Pollutant	Emission Factor (g/BHP-hr)	Emission (lb/hr)	Emission (lb/yr)	Emission (TPY)	Maximum Daily Emissions (lb/day)
NO _x	2.47	1.219	60.9	0.030	29.3
POC	0.082	0.041	2.03	0.001	0.97
CO	0.448	0.221	11.1	0.006	5.30
PM ₁₀ /PM _{2.5} ¹	0.075	0.037	1.84	0.001	0.88
SO ₂ ²	N/A	0.003	0.14	0.000	0.065

Basis:

- Annual emissions: Reliability-related activity 50 hours for S-92
- Max daily emissions: 24-hour operation
- Fuel Rate = 11.1 gallon per hour
- Emissions from EPA Engine Family KJDXL13.5103 for S-92
- ¹ Conservative Assumption: All PM emissions are PM_{2.5}
- ² SO₂ emission factor from AP-42 Table 3.4-1, SO₂ (15 ppm) = 0.00809*0.0015 lb SO₂/bhp-hr
- All emissions are unabated.

The plant cumulative increase is provided after the Offsets section of the evaluation report.

Health Risk Assessment (HRA)

At a maximum rate of 1.84 lbs/year, the diesel particulate emissions from the project are greater than the toxic trigger level of 0.26 lb/year. All PM₁₀/PM_{2.5} emissions are considered diesel particulate emissions. There were no other related projects permitted in the last three years.

S-92 is subject to the District's HRA streamlining policy for stationary diesel-fueled combustion engines used for backup power or fire pumps. The included HRA streamlining policy checklist shows that a refined HRA is not required for this permit application. The project is presumed to be in compliance with project risk requirements as recommended, limiting reliability-related activity hours by permit condition.

Best Available Control Technology (BACT)

In accordance with Regulation 2-2-301, BACT is triggered for any new or modified source with the potential to emit 10 pounds or more per highest day of POC, NPOC, NO_x, CO, SO₂, or PM₁₀.

BACT for this source is presented in the current BAAQMD BACT/TBACT Workbook for IC Engine – Compression Ignition: Stationary Emergency, non-Agricultural, non-direct drive fire pump, Document #96.1.3, Revision 7. dated 12/22/2010. For NO_x, CO, POC and PM₁₀, BACT(2) is the CARB ATCM standard for the respective pollutant at the applicable horsepower rating. For SO₂, BACT(2) is using fuel with sulfur content not to exceed 0.0015%, or 15 ppm. The more restrictive BACT(1) standards are not applicable to this engine because it will be limited to operation as an emergency standby engine.

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
 2801 Waterfront Rd., Martinez, CA 94553

S-92 satisfies the current BACT(2) standards for the following pollutants which exceed 10 lb/day in Table 1:

Pollutant	Emission Factor	BACT(2) Standard
NOx	2.47 g/bhp-hr	2.85 g/bhp-hr

Offsets

The facility’s potential to emit for POC is above 35 tpy and is subject to offsets, per Regulation 2-2-302. The replacement of S-75 with S-92 with this application will result in a contemporaneous emission reduction of .0047 tpy. POC Emissions reduction do not need to be RACT adjusted since standards have not changed. The emission reduction calculation for POC completed following procedures outlined in Regulation 2-2-604.

$$POC = 24.7 \frac{\text{operation hours}}{\text{year}} \times 1.1 \frac{\text{MMBtu}}{\text{hr}} \times 0.35 \frac{\text{lb}}{\text{MMBtu}} \times \frac{1 \text{ ton}}{2000 \text{ pound}} = 0.0047 \text{ tpy of POC (Baseline Emission)}$$

Plant Cumulative Increase

Table 2 summarizes the cumulative increase in criteria pollutant emissions that will result from this application.

Table 2. Plant Cumulative Emissions Increase, Post 4/5/91

Pollutant	Existing Emissions Post 4/5/91 (tons/yr)	Application Emissions Increase (tons/yr)	Application Emissions Decrease (tons/yr)	Net Cumulative Emissions (tons/yr)
NOx	0.00	0.030	0.0058	0.0246
POC	0.00	0.001	0.0047	0.00
CO	0.00	0.006	0.0100	0.00
PM ₁₀ /PM _{2.5}	0.00	0.001	0.0042	0.00
SO ₂	0.00	0.000	0.0039	0.00

The emission decrease was calculated using the emission factors from application evaluation 4684 for POC, PM₁₀, and SO₂. S-75 Emission factors for NOx and CO were adjusted to the most stringent RACT standards per Regulation 2-2-603.6 and Regulation 9-8-304. Average actual operation hours for the years 2017,2018 and 2019 were used in the calculation. Please refer to the attached spreadsheet for more details.

NOx emissions are the only criteria pollutant to have a net cumulative emission increase with this application.

Statement of Compliance

The owner/operator is expected to comply with all applicable requirements. Key requirements are listed below:

Airborne Toxic Control Measure for Stationary Compression Ignition Engines

ATCM, 5/19/2011, section 93115, title 17, CA Code of Regulations

District Rules

Regulation 6-1-303 (*Ringelmann No. 2 Limitation*)

Regulation 9-1-301 (*Limitations on Ground Level Concentrations of SO₂*)

Regulation 9-8 (*NO_x and CO from Stationary Internal Combustion Engines*)

Section 9-8-110.5 – Limited exemption for emergency standby engines

Section 9-8-330 – Hours of operation for emergency standby engines

Section 9-8-502 – Recordkeeping

California Environmental Quality Act (CEQA)

This project is ministerial under the District Regulation 2-1-311 (Permit Handbook Chapter 2.3) and is therefore not subject to CEQA review.

New Source Performance Standards (NSPS)

40 CFR 60, Subpart IIII (*Stationary Compression Ignition Internal Combustion Engines*)

National Emissions Standards for Hazardous Air Pollutants (NESHAP)

40 CFR 63, Subpart ZZZZ (*Stationary Reciprocating Internal Combustion Engines (RICE)*)

Prevention of Significant Deterioration (PSD)

This application is not part of a PSD project as defined in Regulation 2-2.

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

School Notification (Regulation 2-1-412)

This project is over 1,000 feet from the nearest K-12 school, and is therefore not subject to the public notification requirements.

Permit Conditions

Permit Condition #27292 for S-92

1. The owner or operator shall shutdown and dismantle S-75 within 30 days of startup of S-92. [basis: Cumulative Increase].
2. Operating for reliability-related activities is limited to 50 hours per year per engine. [Basis: Stationary Diesel Engine ATCM, section 93115, title 17, CA Code of Regulations, subsection (e)(2)(A)(3) or (e)(2)(B)(3)]
3. The owner or operator shall operate each emergency standby engine only for the following purposes: to mitigate emergency conditions, for emission testing to demonstrate compliance with a District, state or Federal emission limit, or for reliability-related activities (maintenance and other testing, but excluding emission testing). Operating hours while mitigating emergency conditions or while emission testing to show compliance with District, state or Federal emission limits is not limited.
[Basis: Stationary Diesel Engine ATCM, section 93115, title 17, CA Code of Regulations, subsection (e)(2)(A)(3) or (e)(2)(B)(3)]
4. The owner/operator shall operate each emergency standby engine only when a non-resettable totalizing meter (with a minimum display capability of 9,999 hours) that measures the hours of operation for the engine is installed, operated and properly maintained. [Basis: Stationary Diesel Engine ATCM, section 93115, title 17, CA Code of Regulations, subsection (e)(4)(G)(1)]
5. Records: The owner/operator shall maintain the following monthly records in a District-approved log for at least 36 months from the date of entry (60 months if the facility has been issued a Title V Major Facility Review Permit or a Synthetic Minor Operating Permit). Log entries shall be retained on-site, either at a central location or at the engine's location, and made immediately available to the District staff upon request.
 - a. Hours of operation for reliability-related activities (maintenance and testing).
 - b. Hours of operation for emission testing to show compliance with emission limits.
 - c. Hours of operation (emergency).

- d. For each emergency, the nature of the emergency condition.
- e. Fuel usage for each engine(s).

[Basis: Stationary Diesel Engine ATCM, section 93115, title 17, CA Code of Regulations, subsection (e)(4)(I), (or Regulation 2-6-501)]

- 6. At School and Near-School Operation: If the emergency standby engine is located on school grounds or within 500 feet of any school grounds, the following requirements shall apply:

The owner or operator shall not operate each stationary emergency standby diesel-fueled engine for non-emergency use, including maintenance and testing, during the following periods:

- a. Whenever there is a school-sponsored activity (if the engine is located on school grounds).
- b. Between 7:30 a.m. and 3:30 p.m. on days when school is in session 'School' or 'School Grounds' means any public or private school used for the purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in a private home(s). 'School' or 'School Grounds' includes any building or structure, playground, athletic field, or other areas of school property but does not include unimproved school property. [Basis: Stationary Diesel Engine ATCM, section 93115, title 17, CA Code of Regulations, subsection (e)(2)(A)(1)] or (e)(2)(B)(2)]

End of Conditions

Recommendation

I recommend the District issue an Authority to Construct for the following source:

S-92 Emergency Standby Diesel Generator Set
Make: John Deere, Model: JU6H-UFADQ0, Model Year: 2020
224 bhp, 1.49 MMBtu/hr
Permit Condition No. 27292

Prepared By: Ali Roohani, Air Quality Engineer I

ENGINEERING EVALUATION

TransMontaigne Operating Company LP
Plant 24089 | Application 30789
2801 Waterfront Road
Martinez, CA 94553

BACKGROUND

TransMontaigne Operating Company LP (TransMontaigne) has applied for a Change of Condition for the following sources:

- S-76 Internal Floating Roof Tank, 4200K gal (100-38)**
- S-77 Internal Floating Roof Tank, 4200K gal (100-45)**
- S-78 Internal Floating Roof Tank, 4200K gal (100-44)**

These tanks store gasoline and other petroleum products, which are transferred to and from pipelines. These tanks are not connected to the truck loading rack. These tanks were originally permitted to store gasoline and other petroleum products under Application 5850 which established a throughput limit of 105 million gallons of hydrocarbon liquid in Condition 20060. Per Application 5850, the intent of the throughput limit was to ensure that emission estimates for cumulative increase and Best Available Control Technology analysis purposes would remain valid and that benzene emissions from gasoline storage would remain below the emission rate for which the HRA was conducted.

On September 16, 2020; the facility contacted the Air District via e-mail and stated that the facility had exceeded this rolling 12-month throughput limit for S-76 for the months of June, July, and August 2020. This violation is currently being investigated by the Air District's Compliance and Enforcement Division. As a result of this, the facility submitted this application for a change in permit conditions. Although the wording of the condition states that the Condition 20060 throughput limit applies to all hydrocarbon liquids stored in S-76, S-77, and S-78; the facility believes the limitation should apply only to regulated materials and has requested that the permit conditions reflect this. TransMontaigne has not requested an increase in throughput or emissions of regulated materials.

EMISSION CALCULATIONS

Because there is no change in the underlying operations at S-76, S-77, and S-78 there should be no change in actual emissions resulting from this change in conditions. Under Application 5850 emissions at these sources were estimated to be 1,332 lbs POC per year for each storage tank using EPA Tanks 4.0 and the facility provided offsets for these emissions. This emission estimate was used to establish the permit condition as well as POC emission offsets for these sources.

Air District records show just one instance of the conditional throughput limit being exceeded at any of the three storage tanks within the past four years. In 2019 Trans Montaigne reported 107,001,000 gallons of diesel throughput for which the Air District estimated emissions at 237 pounds per year which is well below the emissions estimate of 1,332 lbs of POC per year. Therefore, even though the throughput limit for hydrocarbon liquids was exceeded, POC emissions remained well below the evaluated estimate.

Using the most current EPA Tanks 4.0.9 with seasonal gas scenario (RVP of 13.5 for November through April and RVP of 7 for May through October) results in an estimated emission rate of 1,192 lbs POC per year at each tank. This confirms that the requested change in condition does not result in an emission increase and there is no change to the cumulative increase.

STATEMENT OF COMPLIANCE

California Environmental Quality Review (CEQA)

This application is considered ministerial under Section 2-1-311 and therefore is not subject to CEQA review. The engineering review for this project requires only the application of standard permit conditions and standard emission factors in accordance with Permit Handbook Chapter 4 – Organic Liquid Storage.

Public Notification, Schools

This facility is not located within 1,000 feet of the nearest school and therefore is not subject to the public notification requirements of Section 2-1-412.

Best Available Control Technology (BACT)

BACT is required for new and modified sources pursuant to Section 2-2-301. This project does not involve new or modified sources and therefore BACT is not required.

Prevention of Significant Deterioration (PSD)

The operation of S-76, S-77, and S-78 does not trigger a PSD review per Regulation 2-2-224.

Offsets

Offsets are required for new and modified sources pursuant to Sections 2-2-302 and 2-2-303. This project does not involve new or modified sources and therefore offsets are not required.

Health Risk Assessment (HRA)

New or modified sources with emissions exceeding trigger levels specified in Table 2-5-1 require an HRA pursuant to Regulation 2.5. This project does not involve new or modified sources and therefore an HRA is not required.

Storage of Organic Liquids – Regulation 8, Rule 5

TransMontaigne is expected to continue to comply with Section 8-5-305 (internal floating roof tanks), Section 8-5-320 (roof fittings), Section 8-5-321 (primary seals), and Section 8-5-322 (secondary seals).

New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Kb

S-76, S-77, and S-78 will continue to comply with NSPS (40CFR60, Subpart Kb), by using roof seals and roof fittings that meet District Regulation 8-5.

Statement of Basis: Site A7034,
TransMontaigne Operating Company, LLC – Martinez Terminal
2801 Waterfront Rd., Martinez, CA 94553

PERMIT CONDITIONS

Cond # 20060 applies to sources S-76, S-77, and S-78. The following changes will allow for flexibility in storing a variety of materials and comports with current convention for managing that flexibility:

Condition for Sources S-76, S-77, and S-78, fixed roof tanks in combination with internal floating roofs, Application #5850, Plant #7034 Shore Terminals Martinez
Application 30789, Plant 24089 TransMontaigne – administrative change in conditions

~~1. The gasoline or other hydrocarbon liquids loaded into each storage tank (S-76, or S-77, or S-78) shall not exceed 105 million gallons in any consecutive twelve-month period.
[Basis: Cumulative Increase]~~

1. The owner/operator of S-76, S-77, and S-78 shall not exceed the following throughput limits:
Gasoline 105,000,000 gallons per tank during any consecutive twelve-month period
 4,200,000 gallons per tank during any calendar day
[Basis: Cumulative Increase]

2. The owner/operator may store alternate liquid(s) other than the material specified in Part 1 and/or usages in excess of those specified in Part 1, provided that the owner/operator can demonstrate that all of the following are satisfied:

- a. POC emissions from each of S-76, S-77, and S-78 do not exceed 1,332 pounds per tank in any consecutive twelve-month period;
- b. POC emissions from each of S-76, S-77, and S-78 do not exceed 9.6 pounds in any calendar day;
- c. Total NPOC emissions from each of S-76, S-77, and S-79 do not exceed 0.0 pounds per tank in any consecutive twelve-month period;
- d. Benzene emissions from each of S-76, S-77, and S-78 do not exceed 6.5 pounds per tank in any consecutive twelve-month period; and
- e. The use of these materials does not result in total toxic emissions (except for benzene) from S-76, S-77, and S-78 combined to exceed any risk screening trigger level of in Table 2-5-1 found in Regulation 2-5.

[Basis: Cumulative Increase; Regulation 2-5]

3. To determine compliance with the above parts, the owner/operator shall maintain the following records and provide all of the data necessary to evaluate compliance with the above parts, including the following information:

- a. Quantities of each type of liquid stored at this source on a monthly basis.
- b. If a material other than those specified in Part 1 is stored, POC and toxic component contents of each material used; and mass emission calculations to demonstrate compliance with Part 2, on a daily basis;
- c. Daily throughput and/or emission calculations shall be total for each month and consecutive twelve-month period.

All records shall be retained on-site for five years, from the date of entry, and made available for inspection by District staff upon request. These recordkeeping requirements shall not replace the recordkeeping requirements contained in any applicable District Regulation.
[Basis: Cumulative Increase; Regulation 2-5]

- ~~2.~~ The gasoline or other hydrocarbon liquids loaded into each storage tank (S-76, or S-77, or S-78) shall not exceed 4.2 million gallons during any calendar day.
[Basis: Avoid Best Available Control Technology]
- ~~3.~~ 4. The average benzene concentration in any hydrocarbon liquids stored in Storage Tanks S-76, S-77 and S-78 shall not exceed 1.8 % by weight. The owner/operator of sources S-76, S-77 and S-78 shall analyze all materials stored in each of these tanks for benzene concentration at least once every 6 months. Each tank shall be sampled within 30 days of start-up. If the owner/operator can demonstrate that several tanks contain hydrocarbon from a single source (shipment), then a single benzene analysis may be performed for that group of tanks. These records shall be kept on file for at least 5 years after the date of entry and shall be made available to District personnel upon request. All tests shall be performed in accordance with District approved laboratory procedures.
[Basis: Cumulative Increase]
- ~~4.~~ 5. All new valves and flanges associated with this project shall be subject to the inspection and maintenance criteria of District Regulation 8-18 and any future revisions to this rule.
[Basis: Reg. 8-18]
- ~~5.~~ 6. Sources S-76, S-77 and S-78 shall meet all applicable requirements of District Regulation 8-5 and NSPS, 40 CFR 60, Subpart Kb.
[Basis: Reg. 8-5, NSPS]
- ~~6.~~ 7. In order to demonstrate compliance with the above conditions, the owner/operator of tanks S-76, S-77, and S-78 shall maintain the following records in a District approved log. These records shall be kept on site and made available for District inspection for a period of five years from the date that the record was made.
- a. The type and VOC content of all materials stored and the dates that the materials were stored.
 - b. The total daily throughput of each material stored, summarized on a monthly and annual basis.
- [Basis: Record keeping]

RECOMMENDATION

I recommend the District approve a Change of Condition for the following sources:

- S-76 Internal Floating Roof Tank, 4200K gal (100-38)**
- S-77 Internal Floating Roof Tank, 4200K gal (100-45)**
- S-78 Internal Floating Roof Tank, 4200K gal (100-44)**

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