

PHOENIX RACE FUELS, LLC - APACHE JUNCTION

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1. Introduction

This permit pertains to a race fuel packaging and distributing facility, also known as Torco Race Fuels, operated by Phoenix Race Fuels LLC, an Arizona Limited Liability company. The facility is located at 3625 South Meridian Road, Unit B., Apache Junction, Arizona, upon a parcel also identified by Pinal County Assessor's Parcel #102-19-010A. The source is situated in an area classified as "non-attainment" for ozone.

Facilities that operate in ozone non-attainment areas, which emit Volatile Organic Compounds (VOCs) or Nitrogen Oxides (NO_x) must install Reasonably Available Control Technology (RACT). Submerged filling and stage I vapor recovery are considered RACT for gasoline storage tanks.

Based on the daily throughput, this facility is subject to the National Emission Standards for Hazardous Air Pollutants for Gasoline Dispensing Facilities, Subpart BBBBBB.

The source includes aboveground storage tanks used to distribute race fuel. A description of the equipment from which emissions are allowed by this permit is given in Section 8 of this permit. Emissions listed in the last section of this permit constitute the emissions subject to regulation, as set forth in the application for permit.

Gasoline storage tanks give rise to emissions of organic material in the form of volatile organic compounds ("VOC[s]"). A fraction of those VOC emissions also constitute hazardous air pollutants ("HAP[s]"). While all gasoline tanks fall subject to minimal equipment requirements (e.g. submerged fill tubes), emissions of VOCs and HAPs are additionally subject to different emission-rate-based regulatory thresholds. Exceeding those thresholds triggers a "major source" designation, and an accompanying variety of regulatory obligations.

In order to impose a minimum burden on the operator, while assuring compliance with the universally applicable requirements and avoiding triggering those "major source" obligations under the Clean Air Act ("CAA"), this permit simply requires use of the already installed "Stage I" controls and then imposes an overall limit on the total throughput of gasoline. Provided the EPA concurs in the designation of those provisions as "federally enforceable" pursuant to Code §3-1-084, this permit should enable the permittee to avoid regulation as a "major source."

Even based upon continuous operation at full capacity, the cumulative potential to emit any single pollutant or combination of pollutants does not exceed any of the applicable major source thresholds under the Clean Air Act (1990) ("CAA") or local rules. The source does not require an operating permit under Title V of the CAA.

2. Authority to Construct [*Federally enforceable - Code §§3-1-010, 3-1-040 (as amended 10/12/95) approved as a SIP Element at 65 FR 79742 (12/20/00)*]

Emissions from this facility, specifically the equipment described in "Equipment Schedule" section below, and the operating configuration more fully described in the application for permit, already fall subject to the independent Federally enforceable limitations identified elsewhere in this permit. Therefore, based on the regulations in effect upon the date of issuance of this permit and a finding that allowable emissions from the equipment described in the Equipment Schedule will neither cause nor contribute to a violation of any ambient air quality standard even without any additional limitations, and a further finding that this does not constitute a "major source" within the meaning of Code §3-3-203, this permit constitutes authority to construct and operate such equipment.

3. Emission Limitations and Controls

- A. Applicable Limitations [*Federally enforceable pursuant to PCAQCD Code § 3-1-082 (11/3/93) approved as SIP Elements at 65 FR 79742 (12/20/00)*]

Where different standards or limitations apply under this permit, the most stringent combination shall prevail and be enforceable.

- B. Allowable Emissions [*Federally enforceable pursuant to PCAQCD Code § 3-1-040 (10/12/95) approved as SIP Elements at 65 FR 79742 (12/20/00)*]

The owner/operator ("Permittee") is authorized to discharge or cause to discharge into the atmosphere those emissions of air contaminants as set forth in this permit. Unless exempted under Code §3-2-180, Permittee shall not use any material, process, or equipment not identified in this permit which will cause emissions of any regulated air pollutant in excess of the 5.5 pound-per-day de minimis amount, unless authorized by a permit revision under as allowed under this permit, or by a separate permit issued by the District or other competent authority.

- C. Control Equipment and Procedures (Code §3-1-081)

1. Submerged Fill Tubes [*Federally enforceable - Code §5-18-740 approved as SIP element at 65 FR 81371 (12/26/00)*] (Code §5-18-742)

No person shall load or permit the loading of gasoline into any stationary tank with a capacity of 250 gallons or more unless such tank is equipped with either submerged filling inlets or with vapor recovery or emission control systems such that loss of vapor to the atmosphere during filling operations shall be minimized.

2. Permittee shall install permanent submerged fill pipes on all gasoline tanks not so equipped to control fuel vapors when fuel is loaded into gasoline storage vessels at the site.
3. Reasonable precautions shall be used to prevent spillage of fuel.
4. Stage I Controls [*Federally enforceable provision, pursuant to Code §3-1-084 (8/15/94) approved as SIP Elements at 61 FR 15717 (4/9/96)*]

Every time the storage tanks are refilled, Permittee shall use Stage I controls to capture and control the purged vapors.

- D. Combined Volatile Organic Compound/Hazardous Air Pollutant [Code §§3-1-081 (Nov. '93)]

1. Emission Cap [*Federally enforceable provision, pursuant to Code §3-1-084 (8/11/94) approved as SIP Elements at 61 FR 15717 (4/9/96)*]

Permittee shall limit emissions of VOCs to less than 100 TPY, emissions of any single HAP to less than 10 TPY, and emissions of any combination of HAPs to less than 25 TPY.

2. Process Use Limitation [*Federally enforceable provision, pursuant to Code §3-1-084 (8/11/94) approved as SIP Elements at 61 FR 15717 (4/9/96)*]

To assure compliance with the relevant emission caps, Permittee shall:

- a. Limit the combined total annual throughput of gasoline to 5,000,000 gallons, which will limit emissions of:
 - i. VOCs to approximately 50% of the applicable cap;
 - ii. Any single HAP to less than 50% of the applicable cap;
 - iii. Any combination of HAPs to less than approximately 40% of the applicable cap.
 - b. Conduct an annual inventory of gasoline purchases and distribution.
- E. Subpart BBBBBB Control Requirements <20,000 Gallons Throughput per Day [*Federally enforceable provision, 40 CFR §§63.11086, 63.11089, 63.11100*]
1. Permittee shall use submerged filling when loading gasoline into storage tanks:
 - a. If the submerged pipe was installed on or before 11/9/2006, it must be no more than 12 inches from the bottom of the storage tank;
 - b. If the submerged pipe was installed after 11/9/2006, it must be no more than 6 inches from the bottom of the storage tank.
 - c. Submerged fill pipes not meeting the specifications of (a) or (b) of this section are allowed if the owner or operator can demonstrate that the liquid level in the gasoline storage tank is always above the entire opening of the fill pipe. Documentation providing such demonstration must be made available for inspection by the Administrator's delegated representative during the course of a site visit.
 2. You must perform a monthly leak inspection of all equipment in gasoline service according to the following requirements:
 - a. Each owner or operator shall perform a monthly leak inspection of all equipment in gasoline service, or all pieces of equipment that are used in a system that transfers gasoline or gasoline vapors. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.
 - b. A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.
 - c. Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided below:
 - i. Delay of repair of leaking equipment will be allowed if the repair is not feasible within 15 days. The owner or operator shall provide in the

annual report the reason(s) why the repair was not feasible and the date each repair was completed.

3. Permittee shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:
 - a. Minimize gasoline spills;
 - b. Clean up spills as expeditiously as practicable;
 - c. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
 - d. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

F. **General Maintenance Obligation** [*Federally Enforceable Provision pursuant to code §3-1-081.E (9/5/01) approved as a SIP element at 66 FR 63166 (12/5/01)*]

At all times, including periods of start-up, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate the permitted facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions.

4. **Compliance Demonstration**

A. **Regular Emissions Monitoring/Recordkeeping** [*Federally enforceable provision, pursuant to Code §3-1-084 (8/11/94) approved as SIP Elements at 61 FR 15717 (4/9/96), 40 CFR 63 Subpart BBBBBB §§63.11094. 63.11100*]

To demonstrate continuing compliance with the emissions limitations established under this permit, Permittee shall maintain monthly records of gasoline delivered to the tanks.

B. **Annual Compliance Reporting** [*Federally enforceable provision, pursuant to Code §3-1-083 (2/22/95) approved as a SIP element at 65 FR 79742 (12/20/00)*]

In order to demonstrate compliance with the provisions of this permit, the Permittee shall submit an annual report containing a summary of the information required to be recorded pursuant to this permit, which summary shall clearly show that Permittee has complied with the operational and emissions limitations under this permit. The report shall be submitted to the District within 30 days after the end of the calendar year. Appendix A is a form which may be used for this report.

C. **Annual Regular Compliance/Compliance Progress Certification** [*Federally Enforceable Provision pursuant to code §3-1-083 (2/22/95) approved as a SIP Element at 65 FR 79742 (12/20/00)*]

Permittee shall annually submit a certification of compliance with the provisions of this permit. The certification shall:

1. Be signed by a responsible official, namely the proprietor, a general partner, the president, secretary, treasurer or vice-president of the corporation, or such other person as may be approved by the Control Officer as an administrative amendment to this permit;

2. Clearly tabulate by month the gasoline deliveries required to be monitored under this permit; and
3. Be postmarked within thirty (30) days of the start of each calendar year.

5. Other Reporting Obligations

- A. Deviations from permit requirements [*Federally Enforceable Provision pursuant to code §3-1-081.A.5.b (9/5/01) approved as a SIP element at 66 FR 63166 (12/5/01)*]

Permittee shall report any deviation from the requirements of this permit along with the probable cause for such deviation, and any corrective actions or preventative measures taken to the District within ten days of the deviation unless earlier notification is required by the provisions of this permit.

- B. Annual Emissions Inventory [*Federally Enforceable Provision pursuant to code §3-1-103 (2/22/95) approved as a SIP element at 65 FR 79742 (12/2/00)*]

Permittee shall complete and submit to the District an annual emissions inventory, disclosing actual emissions for the preceding calendar year. Submittal of the form set forth in Appendix A of this permit by January 30th of each year fulfills this requirement

6. Fee Payment

As an essential obligation under this permit, permit fee shall be assessed by the District and paid by Permittee in accord with the provisions of Code Chapter 3, Article 7, as they may exist at the time the fee is due. The permit fee shall be due annually on or before the anniversary date of the issuance of an individual permit, or formal grant of approval to operate under a general permit, or at such other time as may be designated now or hereafter by rule. The District will notify the Permittee of the amount to be due, as well as the specific date on which the fee is due.

7. General Conditions

- A. Term (Code §3-1-089)

This permit shall have a term of five (5) years, measured from the date of issuance.

- B. Basic Obligation (Code §3-1-081.)

Permittee shall operate in compliance with all conditions of this permit, the Pinal County Air Quality Control District ("the District") Code of Regulations ("Code"), and all State and Federal laws, statutes, and codes relating to air quality that apply to these facilities. Any permit noncompliance is grounds for enforcement action; for a permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application and may additionally constitute a violation of the CAA.

- C. Duty to Supplement Application (Code §§3-1-050.H, 3-1-081.A.8.e, 3-1-110)

Even after the issuance of this permit, a Permittee, who as an applicant who failed to include all relevant facts, or who submitted incorrect information in an application, shall, upon becoming aware of such failure or incorrect submittal, promptly submit a supplement to the application,

correcting such failure or incorrect submittal. In addition, Permittee shall furnish to the District within thirty days any information that the Control Officer may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit and/or the Code.

D. Right to Enter (Code §§ 3-1-132, 8-1-050)

Authorized representatives of the District shall, upon presentation of proper credentials, be allowed:

1. To enter upon the premises where the source is located or in which any records are required to be kept under the terms and conditions of this permit;
2. To inspect any equipment, operation, or method required in this permit; and
3. To sample emissions from the source.

E. Transfer of Ownership (Code §3-1-090)

This permit may be transferred from one person to another by notifying the District at least 30 days in advance of the transfer. The notice shall contain all the information and items required by Code § 3-1-090. The transfer may take place if not denied by the District within 10 days of the receipt of the transfer notification.

F. Posting of Permit (Code §3-1-100)

Permittee shall firmly affix the permit, an approved facsimile of the permit, or other approved identification bearing the permit number, upon such building, structure, facility or installation for which the permit was issued. In the event that such building, structure, facility or installation is so constructed or operated that the permit cannot be so placed, the permit shall be mounted so as to be clearly visible in an accessible place within a reasonable distance of the equipment or maintained readily available at all times on the operating premises.

G. Permit Revocation for Cause (Code §3-1-140)

The Director of the District ("Director") may revoke this permit for cause, which cause shall include occurrence of any of the following:

1. The Director has reasonable cause to believe that the permit was obtained by fraud or material misrepresentation;
2. Permittee failed to disclose a material fact required by the permit application form or a regulation applicable to the permit;
3. The terms and conditions of the permit have been or are being violated.

H. Certification of Truth, Accuracy, and Completeness (Code § 3-1-175.)

Any application form, report, or compliance certification submitted pursuant to the Code shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under Chapter 3 of the Code shall state that, based

on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

I. Permit Expiration and Renewal (Code §3-1-089)

Expiration of this permit will terminate the facility's right to operate unless a timely application for renewal has been submitted in accordance with §§3-1-050, 3-1-055 and 3-1-060, or a substitute application for a general permit under §3-5-490. For Class I permit renewals, a timely application is one that is submitted at least 6 months, but not greater than 18 months prior to the date of permit expiration. For Class II or Class III permit renewals, a timely application is one that is submitted at least 3 months, but not greater than 12 months prior to the date of permit expiration.

J. Severability (Code §3-1-081.A.7)

The provisions of this permit are severable, and if any provision of this permit is held invalid the remainder of this permit shall not be affected thereby.

K. Permit Shield (Code § 3-1-102.)

1. Compliance with the terms of this permit shall be deemed compliance with any applicable requirement identified in this permit.
2. 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 this permit.

L. Permit Revisions (Code Chapter 3, Article 2)

1. This permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
2. The permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control officer may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
3. Permit amendments, permit revisions, and changes made without a permit revision shall conform to the requirements in Article 2, Chapter 3, of the Code.
4. Should this source become subject to a standard promulgated by the Administrator pursuant to CAA §112(d), then Permittee shall, within twelve months of the date on which the standard is promulgated, submit an application for a permit revision demonstrating how the source will comply with the standard. (Code §3-1-050.C.5)

M. Permit Re-opening (Code §3-1-087.)

1. This permit shall be reopened if either:

- a. The Control Officer determines that it contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of it; or
 - b. The Control Officer determines that it needs to be revised or revoked to assure compliance with the applicable requirements.
2. If this permit must be reopened or revised, the District will notify the permittee in accord with Code §3-1-087.A.3.
- N. Record Retention (Code §3-1-083.A.2.b)
- Permittee shall retain for a period of five (5) years all documents required under this permit, including reports, monitoring data, support information, calibration and maintenance records, and all original recordings or physical records of required continuous monitoring instrumentation.
- O. Scope of License Conferred (Code §3-1-081.)
- This permit does not convey any property rights of any sort, or any exclusive privilege.
- P. Excess Emission Reports; Emergency Provision (Code §3-1-081.E, Code §8-1-030)
1. To the extent Permittee may wish to offer a showing in mitigation of any potential penalty, underlying upset events resulting in excess emissions shall reported as follows:
 - a. The permittee shall report to the Control Officer any emissions in excess of the limits established by this permit. Such report shall be in two parts:
 - i. Notifications by telephone or facsimile within 24 hours or the next business day, whichever is later, of the time when the owner or operator first learned of the occurrence of excess emissions, including all available information required under subparagraph b. below.
 - ii. Detailed written notification within 3 working days of the initial occurrence containing the information required under subparagraph b. below.
 - b. The excess emissions report shall contain the following information:
 - i. The identity of each stack or other emission point where the excess emissions occurred.
 - ii. The magnitude of the excess emissions expressed in the units of the applicable limitation.
 - iii. The time and duration or expected duration of the excess emissions.
 - iv. The identity of the equipment from which the excess emissions occurred.
 - v. The nature and cause of such emissions.

- vi. If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunctions.
 - vii. The steps that were or are being taken to limit the excess emissions. To the extent this permit defines procedures governing operations during periods of start-up or malfunction, the report shall contain a list of steps taken to comply with this permit.
 - viii. To the extent excess emissions are continuous or recurring, the initial notification shall include an estimate of the time the excess emissions will continue. Continued excess emissions beyond the estimated date will require an additional notification.
2. 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 that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
 3. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of the following subparagraph are met.
 4. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - a. An emergency occurred and that 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 emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. The permittee submitted notice of the emergency to the Control Officer by certified mail or hand delivery within 2 working days of the time when emissions limitations were exceeded due to emergency. The notice shall contain a description of the emergency, any steps taken to mitigate emissions, and corrective action taken.

8. Facility Specific Data (Code §3-1-050.B)

A. Equipment

Equipment for which emissions are allowed by this permit are as follows:

1. 10,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.

2. 8,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.
3. 9,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.
4. 9,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.
5. 9,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.
6. 9,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.
7. 9,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.
8. 9,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.
9. 9,000 gallon aboveground gasoline tank equipped with Phase I Vapor Recovery and Submerged Fill.

B. Emission Inventory Table

ID	Source	Pollutants	Emission Rate (tons/yr.)
1	Gasoline Tanks	Volatile Organic Compounds (VOCs)	37.0
		Hazardous Air Pollutants (HAPs)	12.0

Appendix A

Annual Report

Permit S12785.000

Abstract

This constitutes an annual report, documenting emissions and use of emission-generating materials during the subject reporting period.

Facility - Phoenix Race Fuels LLC
Torco Race Fuels
3625 South Meridian Rd, Unit B
Apache Junction, AZ

Reporting Period - January 1 to December 31 Year _____

Fuel Report

Gasoline Purchased: _____ gallons

Gasoline Sold: _____ gallons

Compliance Report

Were the control requirements of Subpart BBBBBB as mentioned in Section §3.E of this permit maintained?
Yes _____ No _____

Did any leak repairs exceed 15 days after detection? Yes _____ No _____

If you answered “Yes”, complete the following:

- Date leak detected: _____
- Date(s) of attempted repair: _____
- Reason(s) for delay of repair: _____

- Date of successful repair: _____

Was the appropriate recordkeeping maintained as required under Section §4.B of this permit?
Yes _____ No _____

Certification by Responsible Official

I certify that, based on information and belief formed after reasonable inquiry, that the statements and information in this report are true, accurate and complete.

Signed _____

Printed Name _____

Title _____

Date _____

Contact Phone Number _____

Email to: compliancereports@pinal.gov, or

Mail to: Pinal County Air Quality Control District
P.O. Box 987
Florence, AZ 85132