

CIRCLE K STORES INC. – GOLD CANYON

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1. Introduction

This permit pertains to a retail gas station, operated by Circle K Stores Inc., a Texas Corporation. The facility is also known as Circle K Store #2703499. The SIC Code is 5411 and the NAICS code is 447110. The facility is located at 7138 East US Highway 60, Gold Canyon, Arizona, upon a parcel also identified by Pinal County Assessor's Parcel #104-91-113. The source is situated in an area classified as attainment for ozone.

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

The emissions at this source arise from breathing losses associated with draining and filling gasoline storage tanks. The tanks at this facility are equipped with Stage I controls, which allow bulk transport tankers filling the storage tanks to recapture the purged vapors. A complete list of equipment from which emissions are allowed by this permit is given in Section 8 of this permit. As an informational disclosure, emissions listed in the last section of this permit entitled "Emission Inventory Table" constitute good-faith estimates of 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."

2. Authority to Construct [*Federally enforceable pursuant to PCAQCD Code §§3-1-010, 3-1-040 (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)*]

Permittee is authorized to discharge or cause to discharge into the atmosphere those emissions of air contaminants as set forth below. Unless exempted as an insignificant activity under Code §1-3-140.79a, as a categorical exemption under Code §3-1-040.C., or authorized by a separate permit or by a revision or operational change allowed under this permit or under Chapter 3, Article 2 of the Code, Permittee shall not commence construction of, operate or make any modification to this source in a manner which will cause emissions of any regulated air pollutant in excess of the 5.5#/day *de minimis* amount.

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

1. Submerged Fill Tubes [~~*Federally enforceable provision, pursuant to Code §5-19-800 (2/22/95)*~~ *Currently federally enforceable pursuant to PGCAQCD reg. 7-3-3.1 (3/31/75) approved as a SIP element at 43 FR 50531 (11/15/78)*]

Submerged fill tubes shall be used on liquid fuel storage vessels and the liquid level of the storage vessel shall not be allowed to drop below the bottom of the fill tube.

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 limit fuel vapor emissions.
3. Reasonable precautions shall be used to prevent spillage of fuel.
4. Stage I Controls Required [*Federally enforceable provision, pursuant to Code §3-1-084 (8/11/94)*]

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)*]

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)*]

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

- a. Limit the combined total annual throughput of gasoline to 7,800,000 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. Standards (Code §5-20-300.1)
 - 1. Manufacturers, Suppliers, and Owners or Operators:
 - a. A manufacturer, supplier, owner or operator shall not supply, offer for sale, sell, install or allow the installation of an aboveground or underground storage tank, any type of vapor recovery system or any of its components unless the tank, system and components meet the following:
 - i. Replacement Components for a Vapor Recovery System: A vapor recovery system for which there is a CARB specification shall be replaced with components that comply with one of the following:
 - 1) The equipment is supplied by the manufacturer as a CARB-certified component; or
 - 2) The equipment is rebuilt by a person who is authorized by CARB to rebuild that specific CARB-certified component.
 - ii. All vapor return lines from dispensing tanks shall be equipped with CARB-certified, spring loaded, vapor-tight, poppetted dry break valves.
 - iii. After [date of rule adoption], each new or rebuilt installed component shall be clearly identified with a permanent identification affixed by the certified manufacturer or rebuilder.
 - b. A licensed Vapor Recovery Registered Service Representative (RSR) in the State of Arizona shall install an aboveground or underground storage tank or vapor recovery system components.
 - c. Coaxial Vapor Balance System Prohibition: An owner or operator shall not
 - i. Install a coaxial fill pipe in a new installation; or
 - ii. Reinstall a coaxial fill pipe during any changes to the tank when the top of the tank is exposed and the vapor port bung is pre-configured to accept vapor recovery piping.
 - d. The owner or operator of a stationary dispensing tank shall verify that vapor recovery equipment (if required by this rule) is properly connected and in use at all times while gasoline is actively being loaded. If the gasoline dispensing facility is unattended or there is only one owner or operator under control of the gasoline dispensing facility on-site, the owner or operator of the cargo tank is

responsible for the proper connection and use of the vapor recovery equipment (if required by this rule) while gasoline is being actively loaded.

- e. An owner or operator shall load, allow the loading, or provide equipment for the loading of gasoline from any cargo tank identified with a current Maricopa County Pressure Test decal into any stationary gasoline storage tank.

F. Gasoline Station Subpart CCCCCC Control Requirements >100,000 Gallons Throughput per Month [40 CFR §§63.11116(a), 63.11117(b) & 63.11118(a) and (b)]

Permittee shall:

1. 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.
2. Permittee shall only load gasoline into storage tanks by utilizing submerged filling as specified below:
 - a. Submerged fill pipes installed on or before November 9, 2006, shall be no more than 12 inches from the bottom of the storage tank;
 - b. Submerged fill pipes installed after November 9, 2006, shall be no more than 6 inches from the bottom of the storage tank.
3. Permittee shall comply with the following:
 - a. Install and operate a vapor balance system that meets the following design criteria:
 - i. All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect;
 - ii. The vapor line from the gasoline storage tank to the gasoline cargo shall be vapor tight;
 - iii. The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer.

- iv. The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations;
- v. If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank;
- vi. Liquid fill connections for all systems shall be equipped with vapor-tight caps;
- vii. Pressure/vacuum vent valves shall be installed on the storage tank vent pipes.
- viii. The vapor balance system shall be capable of meeting the static pressure performance requirement of the equation listed in Table 1 of 40 CFR §63 Subsection CCCCCC.
- ix. Tanks constructed or reconstructed after November 9, 2006 must be equipped with a dual-point vapor balance system that is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

G. Gasoline Storage Equipment and Operation Requirements [(Code §5-20-300.3), 40 CFR Part 63, Subpart CCCCCC §63.11120]

1. Underground Storage Tank (UST) Requirements (Code §5-20-300.3.a)

An Underground Storage Tank (UST) must meet all of the following conditions unless exempt from the vapor recovery system requirements per §5-20-100.3 of this Article:

- a. The UST is equipped and maintained according to §5-20-300.1 of this rule;
- b. For an existing GDF, maintain a dual-point vapor recovery system OR a coaxial vapor balance system. For new installations or modifications to existing GDF, install and maintain a dual-point vapor recovery system with separate fill and vapor connection points;
- c. A pressure vacuum vent is installed and maintained per manufacturer specifications;
- d. The vapor recovery system is maintained and operated according to the manufacturer's specifications and the applicable CARB Executive Orders including the corresponding CARB approved Installation, Operation and Maintenance Manual;
- e. A permanent submerged fill pipe is installed and maintained to ensure the highest point of the discharge opening is no more than six inches (6") from the bottom of the UST;
- f. Each fill pipe is equipped with gasketed vapor tight cap;

- g. Each popped dry break is equipped with vapor tight seal and gasketed vapor tight cap;
 - h. Each gasketed vapor tight cap is maintained in a closed position except when the fill pipe or popped dry break it serves is actively in use;
 - i. The fill pipe assembly, including fill pipe, fittings and gaskets, is maintained to prevent vapor leakage from any portion of the vapor recovery system; and
 - j. A spill containment receptacle is installed and maintained free of standing liquid, debris and other foreign matter. The spill containment receptacle shall be equipped with an integral drain valve or other CARB-certified equipment, to return spilled gasoline to the underground stationary storage tank. The drain valve shall be maintained closed and free of vapor emissions at all times except when the valve is actively in use.
2. Loading of Gasoline (Code §5-20-300.4)
- a. When more than one owner or operator is present at a gasoline dispensing facility, prior to accepting a load of gasoline, the owner or operator of a gasoline dispensing facility shall verify all of the following:
 - i. The gasoline cargo tank clearly displays a valid Maricopa County (Mc) Vapor Tightness Test decal that is permanently mounted near the front on the right (passenger) side of the vessel.
 - ii. The owner or operator of the gasoline cargo tank connects the vapor return hose.
3. Control of VOC Vapors (Code §5-2-300.5)
- a. Gasoline vapors displaced from a stationary dispensing tank by gasoline being delivered shall be handled by a Stage 1 Vapor Recovery System, unless the tank is exempted by §5-20-100.3 of this rule.
 - b. Stage 1 Vapor-Recovery System Configuration:
 - i. Replacement: No part of a vapor recovery system for which there is a CARB specification shall be replaced with anything but CARB-certified components.
 - ii. Vapor Valves:
 - 1) All vapor return lines from a stationary dispensing tank shall be equipped with CARB-certified, spring-loaded, vapor-tight, popped dry break valves.
 - 2) Vapor valves shall be inspected weekly to determine if closure is complete and gaskets are intact; a record shall be made pursuant to §5-20-500.2 of this rule.

- iii. Above Ground Systems: An above ground dispensing tank shall have CARB-certified fittings wherever CARB so specifies.
- iv. Installation of New Gasoline Tank: Each new gasoline tank installation shall use CARB-certified fittings exclusively wherever CARB so specifies, and:
 - 1) Shall have its own separate, functioning dual-point vapor return line;
 - 2) Is allowed to have a combination vapor recovery system that in addition to having a separate dual-point vapor return line, also has vapor piping/fittings linking it to one or more (other) stationary gasoline dispensing tanks.
- v. New Coaxial Prohibited:
 - 1) No coaxial fill pipes shall be installed in new installations; and
 - 2) No coaxial fill pipes shall be reinstalled in major modifications in which the top of the tank is exposed and the vapor port bung is pre-configured to accept vapor recovery piping.
- c. Equipment Maintenance and Use Required:
 - i. All vapor loss control equipment shall be:
 - 1) Installed as required;
 - 2) Operated as recommended by the manufacturer; and
 - 3) Maintained leak-free, vapor-tight and in good working order.
 - ii. Coaxial Systems: Both spring-loaded and fixed coaxial fill pipes shall be:
 - 1) Maintained according to the standards of their manufacturer(s); and
 - 2) Be operated so that there is no obstruction of vapor passage from the tank to the cargo tank.

H. Cargo Tanks Subpart CCCCCC Control Requirements *[40 CFR §63.11118(d)]*

Gasoline Cargo Tanks shall not unload gasoline into storage tanks subject to the control requirements described above unless the following are met:

1. All hoses in the vapor balancing system are properly connected,
2. The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect,

3. All vapor return hoses, couplers, and adapters used in the gasoline deliver are vapor-tight,
4. All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the GDF storage tank, and
5. All hatches on the tank truck are closed and securely fastened.
6. The filling of storage tanks at the gas station shall be limited to unloading by vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 shall be carried on the cargo tank.

I. 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)*] (Code 8-1-030.A.3)

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. Administrative Requirements (Code §5-20-400)

1. Stationary Gasoline Storage Tank Inspection (Code §5-20-400.1)

The owner or operator of a gasoline dispensing facility shall conduct inspections of the stationary gasoline storage tank.

a. The inspection shall include, but is not limited to all of the following:

i. The spill containment receptacle shall be maintained:

- 1) Free of cracks, rust and defects;
- 2) Free of foreign material;
- 3) Empty of liquid, including gasoline; and
- 4) The drain valve, if installed, shall properly seal.

ii. The external fittings of the fill pipe assembly shall be:

- 1) Intact and not loose;
- 2) Covered with a gasketed cap that fits securely onto the fill pipe.

iii. The poppetted dry break shall be:

- 1) Equipped with a vapor tight seal;
 - 2) Covered with a gasketed cap that fits securely onto the popped dry break.
- b. The inspections shall be conducted:
- i. At least once per calendar week; or
 - ii. If the gasoline dispensing facilities receives gasoline loads less than once per calendar week, the inspection shall take place upon completion of the receipt of the load of gasoline.
2. Burden of Proof (Code §5-20-400.2)
- a. Proving Exempt Status: The burden of proof of eligibility for exemption from a provision of this rule is on the owner or operator. An owner or operator seeking such an exemption shall maintain adequate records and furnish them to the Control Officer upon request.
 - b. Providing Proof of Equipment Compliance: It is the responsibility of the owner or operator to provide proof, when requested by the Control Officer, that a vapor recovery system or its modifications meet the requirements of this Article.
3. CARB Decertification: An owner or operator shall not install or reinstall a component related to vapor recovery that has been decertified by CARB.
- B. Testing Requirements for Gasoline Dispensing Facilities > 100,000 gallons per month throughput *[40 CFR Part §63.11120]*
1. Permittee shall conduct an initial performance test on the vapor balance system to demonstrate compliance with the maximum allowable pressure and vacuum on each tank. Vapor tightness testing must be performed using EPA Reference Method 27 **or**
 2. Permittee shall provide documentation for the recent performance test **or**
 3. Permittee shall provide some other documentation that the vapor balance systems are complying with the State, local or operating permit requirements.
 4. Permittee shall also determine, at the time of installation and every 3 years thereafter, the leak rate and cracking pressure of pressure-vacuum vent valves installed on the gasoline storage tanks.
 5. Permittee shall also conduct a static pressure test on gasoline storage tanks.
- C. Regular Emissions Monitoring and Recordkeeping *[Federally enforceable provision, pursuant to Code §3-1-084 (8/11/94) and Subpart CCCCC Recordkeeping 40 CFR §63.11125]*
- Permittee shall keep the following records for at least 5 years:
1. Tank vapor tightness certifications.

2. Records of storage tank and equipment component inspections.
 3. Records of monthly throughput of gasoline delivered to the tanks.
- D. Annual Compliance Reporting [*Federally enforceable provision, pursuant to Code §3-1-084 (8/11/94)*] (Code §3-1-083.A)

Permittee shall submit an annual report of emissions containing a report of the total amount of gasoline purchased and delivered in the preceding twelve (12) month period. The report shall be submitted to the District within 30 days after the end of each calendar year. Appendix A of this permit is a form which may be used for the report.

- E. Annual Regular Compliance/Compliance Progress Certification (Code §3-1-083.A., 11/3/93)

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)*] (~~Code §3-1-081.A.5.b.~~)

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 earlier of date the Permittee learned, or should have learned, of the deviation unless earlier notification is required by the provisions of this permit.

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.)

1. 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.
2. All equipment, facilities, and systems used to achieve compliance with the terms and conditions of this permit shall at all times be maintained and operated in good working order.

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 either 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 the 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)
5. Revision to Permit Provisions Designated as Federally Enforceable Pursuant to Code §3-1-084 [*Federally enforceable provision, pursuant to Code §3-1-084 (8/11/94)*]

As an express condition of preserving the federal enforceability of any provision of this permit designated "federally enforceable" pursuant to Code §3-1-084, Permittee shall not make any facility allowed change that would contravene such provision, until thirty (30) days after the Permittee has previously furnished notice of the proposed change to the District and to the Administrator, to thereby allow the Administrator opportunity to comment upon the continued "federal enforceability" of the subject provision after the proposed change.

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;
 - b. The Control Officer determines that it needs to be revised or revoked to assure compliance with the applicable requirements; or
 - c. The EPA makes a material objection to any of those federally enforceable designations under Code §3-1-084 after the normal EPA review period is ended.
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. **Equipment** (Code §3-1-050.B)

- A. Equipment for which emissions are allowed by this permit are as follows:
 1. 2 – 12,000 gallons gasoline tank (Stage I)
 2. Number of gasoline nozzles at the site at one time = 12
- B. Insignificant Activity
 1. 1 – 12,000 gallons diesel tank

9. **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 ~~S12664.000~~ S12780.000

Abstract

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

Facility - Circle K Stores Inc.
Circle K Store #2703499
7138 East US Highway 60, Gold Canyon, AZ

Reporting Period - January ____ to December ____ – Year _____

Fuel Report

Gasoline purchased - _____ gallons

Gasoline used - _____ gallons

Compliance Demonstration

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

Was the performance testing on the tanks conducted as required under Section §4.B of this permit?
Yes _____ No _____

If yes, then please list the date of the most recent test _____

Were the owners and operators standards for the gasoline dispensing facilities met as listed in Section §3.E of this permit? Yes _____ No _____

Were the gasoline storage equipment and operation requirements met as listed in Section §3.G of this permit?
Yes _____ No _____

Were the administrative requirements met as required in Section §4.A of this permit? Yes _____ No _____

Were the monitoring and recordkeeping requirements met as required in Section §4.C of this permit?
Yes _____ No _____

Recordkeeping

Was the initial performance testing conducted **or** appropriate documentation maintained to demonstrate compliance with vapor balance system as required under Section §4.B of this permit? Yes _____ No _____

Were 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