



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL MODIFICATION
HAMILTON COUNTY**

CERTIFIED MAIL

Street Address:

122 S. Front Street

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049

Application No: 14-02393

Fac ID: 1431072036

DATE: 12/22/2005

Queen City Terminals
Gary Sampson
3806 Kellogg Avenue
Cincinnati, OH 45226

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Sincerely,

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

CC: USEPA

HCDES



**Permit To Install
Terms and Conditions**

**Issue Date: 12/22/2005
Effective Date: 12/22/2005**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 14-02393

Application Number: 14-02393
Facility ID: 1431072036
Permit Fee: **\$375**
Name of Facility: Queen City Terminals
Person to Contact: Gary Sampson
Address: 3806 Kellogg Avenue
Cincinnati, OH 45226

Location of proposed air contaminant source(s) [emissions unit(s)]:

**3806 Kellogg Avenue
Cincinnati, Ohio**

Description of proposed emissions unit(s):

Administrative Modification to an existing storage tank.

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon

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the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

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The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons Per Year</u>
VOC	3.4

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
T030 - 546,000 gallon fixed roof storage tank - Tank No. 18 - Modification	OAC rule 3745-31-05(A)(3)	Volatile Organic Compound (VOC) emissions shall not exceed 3.4 TPY. See terms A.2.d and B.1. The requirements of this rule also include compliance with the requirements of 40 CFR Part 60 Subpart Kb.
	OAC rule 3745-21-07(D)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
	40 CFR Part 60 Subpart Kb	See term A.2.e.

2. Additional Terms and Conditions

- 2.a Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of submerged fill and compliance with 40 CFR Part 60 Subpart Kb.
- 2.b The annual OC emission limitation outlined is based upon the emissions unit's Potential to Emit (PTE). Therefore, no records or reports are required to demonstrate compliance with this limit.

- 2.c** The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.
- 2.d** Kinder Morgan Liquids Terminals - Queen City Terminals shall not store materials in this emissions unit which are listed in Appendix A, Threshold Limit Values (TLVs) for Chemical Substances and Physical Agents in the work Environment Adopted by ACGIH for 2005 and any subsequent revision, and which have a classification of either A1, A2 or A3, without obtaining a Permit to Install from the Ohio EPA.
- 2.e** The true vapor pressure of any material stored in this emissions unit shall not exceed 0.508 psia at 70 degrees Fahrenheit.

B. Operational Restrictions

- 1. Prior to the change in material stored in this emissions unit, Kinder Morgan Liquids Terminals - Queen City Terminals, Inc. shall provide written notification to Hamilton County Department of Environmental Services (HCDOES). Such notification shall include the information, in an acceptable form, sufficient to determine that the proposed change in materials comply with the conditions of this permit and all other applicable Ohio EPA rules. Within fifteen working days, HCDOES will notify Kinder Morgan Liquids Terminals - Queen City Terminals whether compliance has been demonstrated. If, in the opinion of the HCDOES, the material being stored may emit a toxic air contaminant, HCDOES will notify Kinder Morgan Liquids Terminals - Queen City Terminals within fifteen days whether a Permit to Install (PTI) is required to store the material. Kinder Morgan Liquids Terminals - Queen City Terminals shall not store the specific material until they have been notified that compliance has been demonstrated or whether or not a PTI is required.
- 2. The maximum material throughput for this emissions unit shall not exceed that stated in the most recent application submitted by the permittee for renewal of the permit to operate (PTO) for this emissions unit.

C. Monitoring and/or Recordkeeping Requirements

- 1. The permittee shall comply with monitoring and recordkeeping requirements as outlined in 40 CFR part 60, paragraph 60.115b.

Queer

PTI A

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Emissions Unit ID: T030

2. The permittee shall maintain records of any inspections which include the identification of the storage tank, the date the tank was inspected and the observed condition of each component of the control system.
3. The permittee shall maintain records of the volatile organic liquid stored, the period of storage, the throughput of each material stored and the maximum true vapor pressure of the volatile organic liquid stored. Records shall be retained for a minimum of five years.

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PTI A

Modification Issued: 12/22/2005

Emissions Unit ID: T030

D. Reporting Requirements

1. The permittee shall submit semi-annual reports to the Ohio EPA field office which summarize the information in C.3 for each material stored in this emission unit. The reports shall be submitted by February 15 and August 15 of each year and shall cover the previous six (6) calendar months.
2. The permittee shall notify the appropriate Ohio EPA field office within 30 days when the maximum true vapor pressure of the stored liquid exceeds 0.508 psia.
3. Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:
 - a. Construction date (no later than 30 days after such date);
 - b. Anticipated startup date (not more than 60 days or less than 30 days prior to such date);
 - c. Actual startup date (within 15 days after such date);
 - d. Date of performance testing (if required, at least 30 days prior to testing);
 - e. Submit to the Department of Environmental Services a report that describes the control equipment and certifies that the control equipment meets the specifications of 40 CFR 60.112b(a) (submitted with the actual startup date report).

Reports are to be sent to:

Ohio Environmental Protection Agency
DAPC - Permit Management Unit
P.O. Box 163669
Columbus, OH 43216-3669

and

Hamilton County Department of Environmental Services
250 Wm. H. Taft Road
Cincinnati, OH 45219

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E. Testing Requirements

1. Compliance with emission limitations outlined in this permit shall be demonstrated by the emissions factors, control efficiencies (if applicable), and the operational parameters as submitted in PTI 14-02393 submitted November 15, 2005.

F. Miscellaneous Requirements

1. The terms and conditions of this permit install supersede the terms and conditions of PTI 14-02393 as issued on October 2, 1991.