



# Connecticut Department of Energy and Environmental Protection



# Title V Air Permit Program - Buckeye Facilities – New Haven

2/1/2023

Jaimeson Sinclair

New Haven Environmental Advisory Council



Connecticut Department of Energy and Environmental Protection

# Outline

- Intro
- History of Title V Operating Permit Program
- CT's Title V Operating Permit Program
- How to get Information
- Buckeye Waterfront Street
- Buckeye Forbes Street



# Intro

- Jaimeson Sinclair – Director, Engineering Division Bureau of Air Management
  - 26 yrs with DEP/DEEP; 2x DEP Distinguished Service Award Recipient
  - 25 years in Bureau of Air Management; 1 yr in Office of Climate change
  - BS Mechanical Engineering- PSU; Professional Certifications in Industrial Hygiene and Environmental Health and Safety (UNH)
  - Lifetime resident of CT, raised in and currently live in “Environmental Justice Community” as defined under CT General Statute 22a-20a



# Engineering Division

- Permitting
  - Title V Operating Permits pursuant to 40 CFR Part 70 and RCSA 22a-174-33
  - New Source Review Permits pursuant to 40 CFR Part 51 and RCSA 22a-174-3a (applicable to new equipment built after 1972)
- Air Emission Inventory
- Stationary Source Regulation Drafting

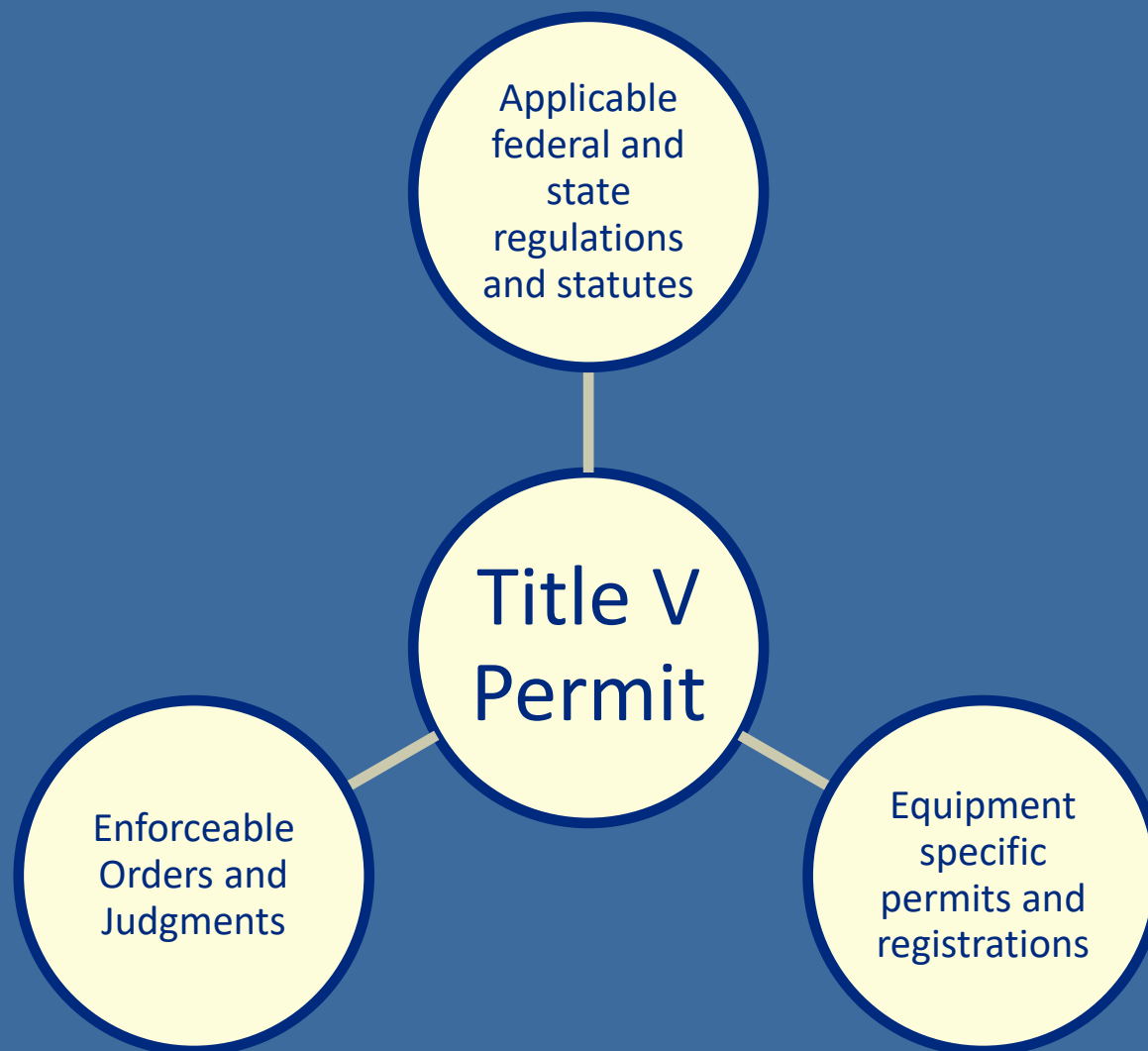


# History of Title V Operating Permit Program

- Genesis: Clean Air Act Amendments of 1990
- Purpose: Enforcement Tool
- Basic Premises: Compilation of requirements applicable to the specific facility into a single comprehensive document for the facility, the Department, EPA, and the public to assure compliance.



# Framework of a Title V Permit



# Title V Permit Implementing Regulations and Statutes

- 40 CFR Parts 70 (state run operating permit program) and 71 (EPA run operating permit program)
- C.G.S. Section 22a-174(c)
- RCSA Section 22a-174-33
- Multiple Pages of EPA Guidance Documents on Structure and Content of Title V Operating Permit and Technical Support Documentation.





# Who needs a Title V Operating Permit?

- All Title V Sources must apply for and obtain a Title V Operating Permit
- Title V Source is defined in RCSA Section 22a-174-33 (a)(10) – based on Potential Emissions, applicable regulatory programs, and location within the state
- For the Buckeye Facilities – Each has the potential to emit greater than 50 tons of VOC per year in a serious ozone nonattainment area and each is subject to 40 CFR 60 and 40 CFR 63



# What goes into a Title V Operating Permit

- Dictated by 40 CFR Part 70, CGS 22a-174(c), and RCSA Section 22a-174-33(j)(1)
  - Expiration date no later than 5 yrs from issuance
  - All terms and conditions shall remain in effect until a renewal permit is issued or denied
  - Requirement to operate in compliance with the permit or be subject to enforcement action
  - “Applicable Requirements” as defined in regulation and statute, with clear citations to the underlying regulation, statute, permit, or enforcement order from which the “Applicable Requirement” was taken



# What goes into a Title V Operating Permit

- Requirements to monitor operating parameters and/or emissions in order to demonstrate compliance with the applicable requirements
- Requirements to submit progress reports regarding steps taken to return to compliance for any ongoing violations discovered prior to the issuance of the permit
- Requirements to notify the Department and EPA of deviations from Permit Terms
- Requirement to submit semi-annual reports of the monitoring performed by the permittee



# What goes into a Title V Operating Permit

- Requirement to submit an annual report of compliance with the permit terms and conditions
- Requirement to report actual annual emissions from the facility on forms specified by the Commissioner



# What Happens when permit is issued

- Permittee must comply with the Permit
- DEEP performs period inspections at the facility focused on assuring compliance with the terms and conditions of the Title V Permit
- DEEP performs a review of all deviation notifications
- Semi-annually DEEP reviews all required monitoring reports; failure to submit can result in enforcement action.



# What Happens When Permit is Issued

- If the permit requires emission testing, DEEP may audit and must review all the emissions test results.
- If the permit requires continuous emissions monitoring, DEEP may audit emissions monitoring equipment tests and calibrations. The Permittee must submit emissions data records quarterly. DEEP reviews the emissions data and determines compliance with applicable limits
- The Permittee submits and DEEP reviews annual compliance certifications and annual emissions reports to evaluate compliance with the permit



# How can the public participate?

- Notice of Application – required in Newspaper of general circulation prior to submission of application
- Notice of Tentative Determination – initiates a 30 day period for the public to request copies of the permit application, Technical Support Document, Draft permit, submit written comments request a hearing
- FOIA – public may request any document or report submission or data collected by the Department:
  - Deviation Notifications, compliance certs and reviews, inspection reports, monitoring data, stack test reports, annual emission reports, any other records in DEEP possession



# Buckeye Facilities

- 134 Forbes Street
  - Facility predates CAA and DEEP, oldest tank constructed in or around 1949
  - 1<sup>st</sup> DEEP Air Records for the facility date back to 1973 owner at the time was Mobil Oil Corp
  - Most Recent Prior Owner Magellan Midstream Partners LP
  - Business – Petroleum Products storage and distribution
  - Equipment – large petroleum product storage tanks and loading racks to dispense product to tanker trucks for wholesale; marine vessel loading capability for non-gasoline products; marine vessel offloading capability for gasoline and non gasoline products.





# Buckeye Facilities

- 280 Waterfront Street
  - Facility predates CAA and DEEP, oldest tank constructed in or around 1929
  - 1<sup>st</sup> DEEP Air Records for the facility date back to 1973 owner at the time was Atlantic Richfield Co. (ARCO)
  - Most Recent Prior owner was Magellan Midstream Partners LP.
  - Business – Petroleum Products storage and distribution
  - Equipment – large petroleum product storage tanks and loading racks to dispense product to tanker trucks for wholesale; marine vessel loading capability for non-gasoline products; marine vessel offloading capability for gasoline and non gasoline products.



# Most Recent Enforcement Action

- Notice of Violation at Waterfront Street – Tank constructed in 2008 should have had a permit
- Resolution – Permit issued in 2022 for the tank



# Annual Emissions

- Primary Emissions are VOC, including hazardous air pollutants like (Benzene, Toluene, Ethylene and Zylene)
- Pollutants are Ozone precursors and contribute to statewide nonattainment ozone designation
- Greenhouse Gas Emissions are low so climate impact of operations is small; however, use of the petroleum products sold by the facility contributes to GHG emissions (downstream emissions)



# Annual VOC Emissions- Tons per year

	Forbes	Waterfront
2021	24.1	43.1
2020	30.9	58.7
2019	32.7	69.8
2018	44.7	61.7
2017	34.9	55.4



# How are emissions tracked and monitored?

- Storage Tanks
  - Annual material throughput (material and volume)
  - Maintenance and operations activities
  - Calculations using best science and EPA methods specified in [AP-42, Section 7](#)
- Loading Racks and Marine Vessel Loading
  - Annual Material Throughput (material and volume)
  - VOC emissions monitoring on the loading rack
  - Calculations using best science and EPA methods



# Questions?

Jaimeson Sinclair

Director

[jaimeson.sinclair@ct.gov](mailto:jaimeson.sinclair@ct.gov)



Connecticut Department of Energy and Environmental Protection