

ENVIRONMENTAL UPDATE

April 30, 2004



Texas Title V Update

TCEQ recently began a series of regulatory revisions affecting sites that currently hold a Title V General Operating Permit (GOP) in Texas. Such sites potentially include:

- ☆ Bulk Fuel Terminals
- ☆ Oil & Gas Facilities
- ☆ Municipal Solid Waste Landfills

Revisions to these GOPs will exclude sites from operating under the GOP if they have a site-specific new source review (NSR) permit under 30 TAC 116. This article summarizes the implications of these changes for those facilities currently operating under a GOP.

Bulk Fuel Terminals and Sites Operating Under the Site-Wide GOP

TCEQ is revising the Bulk Fuel Terminal GOP (GOP No. 515) and the Site-Wide GOP (GOP No. 516) on February 27, 2004. The Bulk Fuel Terminal GOP was developed for use by petroleum bulk stations and terminals, while the Site-Wide GOP was developed for use



by major source sites that have no unit-specific applicable regulatory requirements.

These revisions require facilities currently operating under these GOPs to apply for site-specific Site Operating Permits (SOPs) by September 1, 2004. Once all SOPs have been issued, TCEQ will rescind GOP Nos. 515 and 516. Sites currently operating under one of these two GOPs should start preparing an SOP application soon in order to meet the September 1, 2004 application deadline.

Oil & Gas Facilities and Municipal Solid Waste Landfills

TCEQ also plans to revise Oil & Gas GOPs (GOP Nos. 511-514) by September 2005 and the Municipal Solid Waste Landfill (MSWL) GOP (GOP No. 517) by May 2005 to limit their use to sites that have NSR construction authorization using only permits by rule (PBRs) and/or standard permits. The revisions will also incorporate Periodic Monitoring (PM), Compliance Assurance Monitoring (CAM), and 30 TAC Chapter 101 general requirements.

TCEQ is first revising existing PBRs and Standard Permits for Oil & Gas and MSWL sites so that more sites can qualify entirely under these NSR mechanisms, and thereby qualify for the revised GOPs once they are issued. Proposed PBR revisions to 30 TAC 106.352 (Oil and Gas Production Facilities) and 106.534 (Municipal Solid Waste Landfills and Transfer Stations) were discussed at a stakeholder's meeting in Austin on March 18, 2004. The anticipated proposal and effective dates of the revised PBRs, standard permits, and GOPs are as follows:

	MSWL	Oil & Gas
PBR / Standard Permit		
Proposal	Jun. 2004	Sept. 2004
Effective	Oct. 2004	Feb. 2005
GOP		
Proposal	Nov. 2004	Mar. 2005
Effective	May 2005	Sept. 2005

Once the GOPs are revised, those sites that have a case-by-case NSR permit and those that cannot meet the PM/CAM provisions specifically written into the revised rule will be required to obtain an SOP.

Recommendations for Oil & Gas and MSWL Sites are as follows:

- Identify equipment that is currently authorized under a NSR construction permit.
- Evaluate current and historic PBRs and Standard Permits relative to the construction/modification date of this equipment. If your equipment meets the criteria of a PBR or Standard Permit, prepare the appropriate documentation and submit it (if required) to TCEQ.
- Participate in TCEQ PBR Stakeholders Meetings and discussions and/or provide comments following publication of the proposed PBR / Standard Permit revisions.
- Participate in TCEQ Title V Stakeholders Meetings and discussions and/or provide comments following publication of the proposed inclusion of PM and CAM in the revised GOPs. Provide feedback on how you anticipate monitoring for compliance purposes so that your preferred method can be incorporated into the rule. Update your GOP application within 90 days of the revised GOP effective date.
- Within 180 days of GOP issuance, begin operation of your monitoring option under PM/CAM.



If you have Title V or other air quality questions, please feel free to contact Chris Dick of Green Star Environmental at 214-222-8752 or cjdick@greenstarenvironmental.com.

This Environmental Update provided by:

Green Star Environmental

Arlington, Texas
M(817)461-9210

Dallas, Texas
(214) 468-9081

Lewisville, Texas
(214) 222-8752

<http://www.gseonline.net/>

If you would prefer to receive the Environmental Update electronically, please contact us at mkadmin@greenstarenvironmental.com, and we will send you our next issue.



Summary of EPA SPCC Stakeholders Meeting

At the recent EPA Spill Prevention, Control and Countermeasure (SPCC) Stakeholder meeting on March 31, 2004, the EPA published language reached in a settlement with the American Petroleum Institute and Marathon Oil regarding the definition of key terms in the revised SPCC rule – 40CFR §112. The terms of this agreement, including additional clarifying language on specific SPCC terms can be viewed in full at

<http://www.epa.gov/oilspill/pdfs/SettlementAgreement.pdf>

Also in this meeting, the EPA addressed several issues that have arisen out of the new rule. Loading racks, motive power containment, oil/water separators, AST integrity testing and secondary containment provisions were among the topics discussed. While the EPA did not offer any specific clarification on these issues, the agency indicated they were being considered and additional guidance and/or clarification would be forthcoming. Based on what was said in this meeting, many of these changes would relieve some of the burden on the regulated community. Green Star will continue to monitor these issues and provide updates in upcoming newsletters.

In This Issue....

- ★ Texas Title V Update
- ★ Summary of EPA SPCC Stakeholders Meeting

