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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1315 W. 4th Avenue • Kennewick, Washington 99336-6018 • (509) 735-7581

November 24, 2003

Mr. Joel Hebdon, Director
Regulatory Compliance and Analysis Division
United States Department of Energy
Richland Operations Office
P.O. Box 550, MSIN: A5-15
Richland, Washington 99352

RECEIVED
DEC 10 2003
EDMC

Dear Mr. Hebdon:

Re: Non-radioactive Air Emissions Notice of Construction (NOC) Application to Construct and Operate an Alternate Fuel Tank (E-85, fuel ethanol) at an Existing Gasoline Dispensing Facility Located on the Hanford Site

Enclosed is Order No. DE 03NWP-004. If you have any questions concerning the content of the document, please contact Jerry Hensley at (509) 736-3017. The enclosed Order may be appealed. The appeal procedures are described in the Order.

Sincerely,

Michael Wilson
Program Manager,
Nuclear Waste Program

JH:nc
Enclosure

cc: Mary Jarvis, USDOE
Curt Clement, FH
Brian Dixon, FH
Richard Engelmann, FH
Bill Green, FH
Richard Gurske, FH

Michael Jansky, FH
Jon Perry, FH
Kirk Peterson, FH
Stephen Protsman, FH
Rick Gay, CTUIR

Pat Sobotta, NPT
Russell Jim, YN
Ken Niles, OOE
Environmental Portal
Administrative Record: Air



TO: Keith Klein
United States Department of Energy
P.O. Box 550, MSIN: A7-50
Richland, Washington 99352

Issuance Date: 12/01/03
Effective Date: 12/01/03
Expiration Date: 12/01/08

Permittee: The permittee is U.S. Department of Energy, Richland Operations Office (RL). The permittee is required to comply with the provisions contained within this Order.

Responsible Official: R. H. Smith, 315 E Wine Country Road, P.O. Box 6, Grandview, WA 98930 (contact person: S. D. Protsman, Fluor Hanford [509] 372-8314)

Source Location: The facility (alternate fuel tank) will be located at Hanford Site 200 Area Fuel Station (existing).

1. **JURISDICTION AND LEGAL AUTHORITY:** This order is issued under the authority of Revised Code of Washington (RCW) 70.94.141 (effective 1970), and Washington Administrative Code (WAC) 173-400-110, WAC 173-400-113.
2. **FINDINGS OF FACT:** Ecology makes the following findings of fact:
 - 2.1. RL proposes to construct and operate an alternate fuel tank (E-85, fuel ethanol) at an existing gasoline dispensing facility located on the Hanford Site.
 - 2.2. This facility operates 24 hours per day, 365 days per year.
3. **FINAL DETERMINATION:** A final determination has been made, based upon review of the Notice of Construction and Application for Approval, submitted October 7, 2003. The proposed tank, if constructed and operated as described in this Notice of Construction Order of Approval (Order), shall be in compliance with the applicable rules and regulation, as adopted pursuant to Chapter 70.94 RCW, including Washington Administrative Code (WAC) Chapters 173-400, 173-460, and 173-491.
 - 3.1. **APPLICABLE LAWS AND REGULATIONS**
 - 3.1.1. Unless otherwise stated, the applicable dates for references Code of Federal Regulations (CFR), RCWs, and WACs are those applicable at the time of issuance of the Order.
 - 3.1.2. This proposal qualifies as a new source of air contaminants under WAC 173-400-110 and WAC 173-460-040.
 - 3.1.3. The facility shall comply with all current state laws and regulations, including RCW 70.94, Washington Clean Air Act; WAC 173-400, General Regulations for Air Pollution Sources; WAC 173-460, Controls for New Sources of Toxic Air Pollutants; WAC 173-491, Emission Standards and Controls for Sources Emitting Gasoline Vapors; RCW 43.21 C, State Environmental Policy Act; WAC 197-11, (SEPA) State Environmental Policy Act Rules; and WAC 173-802, SEPA Procedures.

3.2. ESTIMATED EMISSIONS

3.2.1. Verification of the emission estimates provided in the application shall be reported in "Calendar Year 2003 Nonradioactive Inventory of Airborne Emissions Report," pursuant to WAC 173-400-105.

4. APPROVAL CONDITIONS

4.1. BEST AVAILABLE CONTROL TECHNOLOGY (BACT) AND TOXIC BEST AVAILABLE CONTROL TECHNOLOGY (T-BACT)

4.1.1. As required by WAC 173-400-113(2) and WAC 173-460-040(4)(b), this facility shall use BACT and T-BACT, respectively, to control emissions of criteria pollutants. Ecology considers the following to be BACT and T-BACT for this facility:

4.1.1.1. The installation and operation of a California Air Resources Board (CARB) approved Stage I vapor recovery system is considered BACT and T-BACT for this facility.

4.1.1.2. Toxic air pollutants as identified in WAC 173-460-150 and 173-460-160 that are emitted by this facility have been determined to be below the small quantity emission rates (SQER) listed in WAC 173-460-080(2)(e).

4.2. EMISSIONS

4.2.1. The facility shall not exceed the following emission limits:

Pollutant	Emission limit	Notes
Volatile organic compounds	40 TPY	Equivalent to 5,900,000 gallons of gasoline per calendar year

4.3. RECORDKEEPING AND REPORTING

4.3.1. R. H. Smith shall record the monthly gasoline throughput for each calendar year (January to December) and for the previous two calendar years. These records shall be kept on-site and made available to Ecology upon request.

4.3.2. Maintenance records must be kept for the previous twenty-four (24) months of operation, and include dates and nature of maintenance and certification test performed. These records shall be made available to Ecology upon request.

4.3.3. A maintenance log shall be maintained and filled out after every fuel drop.

4.4. OPERATION AND MAINTENANCE

4.4.1. The Stage I vapor recovery system shall be:

4.4.1.1. Installed as per the most recent CARB certifications and shall meet the emission limitations of the applicable CARB certification; 4.4.1.2. Equipped with a submerged fill pipe;

4.4.1.3. Except for components with an allowable leak rate, all components shall be maintained to be leak-free and vapor tight. Components with an allowable leak rate, including pressure vacuum relief valves, shall operate within their allowed leakage rate;

- 4.4.1.4. Installed in accordance with the system's certification requirements and be maintained leak free, vapor tight, and in good working order; and
 - 4.4.1.4.1. The tank caps shall be secured tightly and locked down between unloading of fuel into tanks;
 - 4.4.1.4.2. Adapters, fill tube gaskets, and poppet valves (also known as "dry break valves") shall be maintained in good working condition;
 - 4.4.1.4.3. The automatic cut-off valve and lever of each pump shall be maintained in good working order;
 - 4.4.1.4.4. The hose swivels shall be maintained leak-free and without excessive stiffness; and
 - 4.4.1.4.5. If components of the system are determined to be defective, R. H. Smith shall cease operation until the components are repaired, replaced, or adjusted as necessary.
- 4.4.2. R. H. Smith shall only allow the loading of gasoline into a storage tank equipped with vapor balance fittings when the vapor balance system is attached to the transport tank and operated satisfactorily.
- 4.4.3. R. H. Smith shall ensure that the transfer of gasoline from stationary tanks into motor vehicle fuel tanks is conducted with a CARB approved Stage I vapor recovery system.
 - 4.4.3.1. One vapor hose shall be connected for each gasoline product being delivered.
- 4.4.4. A Notice of Construction (NOC) application shall be filed with Ecology, if:
 - 4.4.4.1. New tanks with nominal storage capacity of greater than 10,000 gallons are proposed to be constructed;
 - 4.4.4.2. The number of fueling stations is increased or decreased;
 - 4.4.4.3. The gasoline throughput increases as a result of a physical or technological change at the facility;
 - 4.4.4.4. Any construction, reconstruction, or modification that triggers the submittal of an NOC application as per WAC 173-400.

5. FACILITY-WIDE CONDITIONS

- 5.1. This facility shall be included in the Hanford Site Air Operating Permit and must comply with the provisions therein.

6. GENERAL CONDITIONS

- 6.1. This Order shall become void if construction is not commenced within eighteen (18) months of receipt of this approval.
- 6.2. A copy of this Order shall be kept at the site and made available to Ecology personnel upon request.

- 6.3. Access to the facility by Ecology personnel shall be allowed upon request for conducting compliance inspections. Failure to allow access is grounds for revocation of this Order.
- 6.4. A report of closure shall be filed with Ecology within ninety (90) days after the operations that produce emissions permanently cease.
- 6.5. A change of ownership shall be filed with Ecology within ninety (90) days of any change of ownership or change in operator.
- 6.6. Nothing in this Order is intended to satisfy additional requirements that may exist under other permits or regulations of this or other agencies.
- 6.7. Air quality violations, including failure to meet the conditions of this permit, are subject to any of the remedies provided in RCW 70.94. Such remedies include notice of violation, order, and civil penalty of up to \$10,000 per day per violation.

Authorization may be modified, suspended or revoked in whole, or part, for cause including, but not limited to, the following:

1. Violation of any terms or conditions of this authorization;
2. Obtaining this authorization by misrepresentation, or failure to disclose fully all relevant facts.

The provisions of this authorization are severable and, if any provision of this authorization, or application of any provisions of this authorization to any circumstance, is held invalid, the application of such provision to their circumstances, and the remainder of this authorization, shall not be affected thereby.

Any person feeling aggrieved by this ORDER may obtain review thereof by application, within thirty (30) days of receipt of this ORDER, to:

Pollution Control Hearings Board
P.O. Box 40903
Olympia, Washington 98504-0903

Concurrently, copies of the application must be sent to:

Washington State Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600

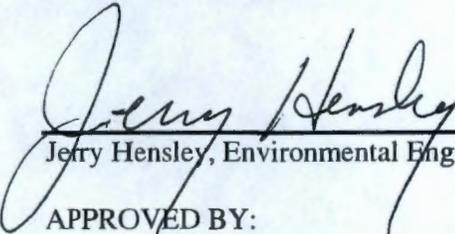
Washington State Department of Ecology
1315 West Fourth Avenue
Kennewick Washington 99336-6018

Copies of correspondence to the PCHB must also be sent to the Benton Clean Air Authority, 114 Columbia Point Drive, Suite C, Richland, Washington 99352-4387.

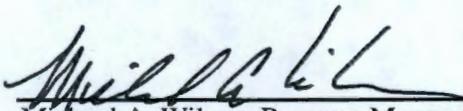
These procedures are consistent with the provisions of Chapter 43.21B RCW, and the rules and regulations adopted there under.

DATED at Kennewick, Washington, this 24th day of November 2003.

PREPARED AND REVIEWED BY:


Jerry Hensley, Environmental Engineer

APPROVED BY:


Michael A. Wilson, Program Manager
