



1206 San Antonio St.
Austin, TX 78701
www.environmentalintegrity.org

November 2, 2022

Ms. Laurie Gharis
Chief Clerk, MC-105
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Via Fax and E-mail

Re: Motion to Overturn Executive Director's Approval of Flint Hills Ingleside LLC's Application to Amend Air Quality Permit No. 6606 to Increase Emissions at the Flint Hills Resources Ingleside Marine Terminal

Dear Ms. Gharis,

On behalf of Ingleside on the Bay Coastal Watch Association and Coastal Alliance to Protect our Environment, enclosed please find a copy of our Motion to Overturn the Executive Director's Approval of Flint Hills Ingleside LLC's application to amend Air Quality Permit No. 6606 to increase emissions at the Flint Hills Resources Ingleside Marine Terminal

If you have any questions regarding this motion, please contact me at the information below.

Sincerely,

/s/Colin Cox

ENVIRONMENTAL INTEGRITY PROJECT
Colin Cox
Staff Attorney
1206 San Antonio St.
Austin, Texas 78701
Tel: 832-316-0580
colincox@environmentalintegrity.org

*Attorney for Ingleside on the Bay Coastal
Watch Association and Coastal Alliance to
Protect our Environment*

RE: APPLICATION TO AMEND	§	BEFORE THE
	§	
AIR QUALITY PERMIT NO. 6606	§	TEXAS COMMISSION
	§	
FLINT HILLS INGLESIDE LLC	§	ON
	§	
INGLESIDE MARINE TERMINAL	§	ENVIRONMENTAL QUALITY

TO THE HONORABLE COMMISSIONERS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:

Pursuant to 30 Tex. Admin. Code § 50.139, Ingleside on the Bay Coastal Watch Association and Coastal Alliance to Protect Our Environment (Movants) file this Motion to Overturn the Executive Director’s October 11, 2022 decision granting Flint Hills Ingleside LLC’s (Flint Hills) application to amend Air Quality Permit No. 6606, authorizing increased emissions of sulfur dioxide from its Ingleside Marine Terminal (the Terminal) in San Patricio County, Texas.

The Commission should grant this motion because Flint Hills’ amendment circumvents Prevention of Significant Deterioration (PSD) review by underrepresenting the Terminal’s potential to emit sulfur dioxide. The Executive Director’s approval of this amendment allows Flint Hills to construct and operate an unauthorized major modification with only a minor permit. This action plainly violates the Texas State Implementation Plan and the Clean Air Act. The Executive Director’s action also unlawfully denies Movant’s hearing request and deprives the public of its right to participate in the permitting process.

I. PROCEDURAL HISTORY

On April 20, 2018, Flint Hills applied to amend air quality permit number 6606, project 284633, authorizing expansion of the terminal. The changes included increasing throughput at the Terminal from 73,000,000 barrels to 138,700,000 barrels per rolling twelve months, adding three new vapor combustors and six new tanks (Expansion Project). The Executive Director approved this permit amendment on January 25, 2019. At the time the Expansion Project was permitted, it was a minor modification for sulfur dioxide (SO₂).

On April 7, 2021, shortly after finishing construction of the Expansion Project, Flint Hills applied to amend air quality permit number 6606 to correct representations of the Expansion Project to reflect “as-built” emissions (Amendment). This 2021 Amendment, project 327436,

further increased throughput at the Terminal from 138,700,000 barrels to 187,200,000 barrels per rolling twelve months. As a result of this increase in throughput, SO₂ emission limits for the Expansion Project were also increased above the major modification threshold for SO₂.

On May 2, 2022, Movants filed comments raising this issue with Flint Hills' Amendment. On July 14, 2022, Ingleside on the Bay Coastal Watch Association requested a contested case hearing regarding Flint Hills' Amendment.

On October 11, 2022, the Executive Director approved Flint Hills application to amend to permit 6606, project 327436, issued its Response to Comments, and denied Movant's hearing request.

II. ARGUMENT

a. The Executive Director improperly approved the amendment for Flint Hills' Expansion Project without the requisite Prevention of Significant Deterioration Review and without following the appropriate public participation procedure.

With this amendment, Flint Hills seeks to authorize additional emissions from its 2019 Expansion Project. This amendment must be classified as a major modification for sulfur dioxide because the emissions increase exceeds the 40 ton per year "significant emissions increase" threshold for a major modification in 40 CFR § 52.21(b)(23)(i).

Flint Hills submitted this amendment application to update representations for the 2019 Expansion Project, project number 284633. As Flint Hills states, "The as-built changes for the past Expansion Project include correcting representations made in that application and adding changes that should have been included in that application."¹

These corrections and changes render the Expansion Project a major modification for SO₂. This Amendment must thus be evaluated for compliance with Prevention of Significant Deterioration regulations. As stated in 40 C.F.R. 52.21(r)(4), which is incorporated in the Texas Clean Air Act at 30 Tex. Admin. Code 116.160(c)(2)(C):

"At such time that a particular source or modification becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source

¹ Flint Hills Application, at 1 (Executive Summary)

or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of paragraphs (j) through (s) of this section shall apply to the source or modification as though construction had not yet commenced on the source or modification.”

Put plainly, this regulation requires that when Flint Hills relaxes emission limits from its 2019 Expansion Project in such a way that the project is now a major modification for SO₂ – as it has done here – that project must undergo Prevention of Significant Deterioration review, including control technology review and impacts analysis. The Amendment is also subject to additional public participation requirements.

EPA explains the requirements of 52.21(r)(4) in guidance:

The definition of potential to emit enables sources to obtain federally enforceable permits with operational restrictions as a means of limiting emissions to minor source levels. However, implicit in the application of these limitations is the understanding that they comport with the true design and intended operation of the project.

Parts C and D of the Clean Air Act exhibit Congress's clear intent that new major sources of air pollution be subject to preconstruction review. The purposes for these programs cannot be served without this essential element. Therefore, attempts to expedite construction by securing minor source status through the receipt of operational restrictions from which the source intends to free itself shortly after operation are to be treated as circumvention of the preconstruction review requirements.²

Here, Flint Hills received a minor SO₂ modification permit in 2019 and now applies to relax SO₂ limits in that permit shortly after beginning operation. The relaxed limits push the Expansion Project past the major modification threshold for SO₂. Movants are not currently claiming that Flint Hills acted intentionally in omitting emissions from this Amendment to circumvent federal preconstruction review. But whether intentional or not, Flint Hills has omitted emissions from this Amendment and thereby circumvented preconstruction review requirements. And the Executive Director has approved Flint Hills' Amendment despite this error.

Flint Hills' 2021 Amendment must be remanded to the Executive Director for processing as a major modification for SO₂.

² U.S. Environmental Protection Agency, *Guidance on Limiting Potential to Emit in New Source Permitting* (June 13, 1989) at 13.

b. Flint Hills 2019 Expansion Project Application rightly included project-associated maintenance, startup, and shutdown emissions in its federal applicability analysis.

For its 2019 Expansion Project, in addition to increasing emissions in permit 6606, Flint Hills also increased emissions for Maintenance, Startup, and Shutdown (MSS) emissions associated with the new tanks in the expansion. The MSS emissions increases were not listed in permit 6606, but instead included in permit-by-rule 107625, project 292889.

In its original 2019 application for the Expansion Project, Flint Hills correctly included the expansion-project-associated portion of the additional MSS emissions from the Expansion Project 292889 in its emissions calculations. The following Table 2F for emissions increases of SO₂ associated with the 2019 Expansion Project — excerpted from Flint Hills 2019 Application — correctly shows both the increases in permit 6606 and the project-associated MSS increases in permit 107625:

**TABLE 2F
PROJECT EMISSIONS INCREASE**

Pollutant ⁽¹⁾ :			SO ₂		Permit:		6606			
Baseline Period:			2014		to		2015			
			B		A					
	Affected or Modified Facilities ⁽²⁾		Permit NO.	Actual Emissions ⁽³⁾ (tons/yr)	Baseline Emissions ⁽⁴⁾ (tons/yr)	Proposed Emissions ⁽⁵⁾ (tons/yr)	Projected Actual Emissions (tons/yr)	Difference (A-B) ⁽⁶⁾ (ton/yr)	Correction ⁽⁷⁾ (ton/yr)	Project Increase ⁽⁸⁾ (ton/yr)
	FIN	EPN								
1	MVCU	MVCU	6606	0.02	0.02	0.00		-0.02		-0.02
2	DOCK	MVCU1/ MVCU2/ MVCU3	6606	0.00	0.00	37.40		37.40		37.40
3	COMBSS (1 Tank)	COMBSS (1 Tank)	PBR Registration No. 107625	0.00	0.00	2.31		2.31		2.31
4										
5										
6										
7										
8										
9										
10										
11										
PAGE SUBTOTAL: ⁽⁹⁾										39.69
								Total		39.69

As the table above shows, the Flint Hills 2019 Expansion Project authorized an increase of 39.69 tons per year of SO₂, just under the major modification threshold of 40 tons per year of SO₂. This includes both the increases in permit 6606, reflected in line 2 of the table, as well as the

project-associated increases in permit 107625, reflected in line 3 of the table. The increases in 107625 are explicitly associated with the 2019 Expansion Project, as Flint Hills' application to amend permit 107625 explains in its description of the proposed changes:

“The following changes are proposed in the enclosed PBR registration:

- Increasing the number of tank landing/degassing occurrences for maintenance or material change purposes from 3 to 10 per year. This revision includes authorizing one tank loading/degassing activity for maintenance or material change purposes for the six new internal floating roof (IFR) storage tanks being authorized as part of Permit No. 6606 amendment, which is currently under TCEQ's review.
- Increasing the number of tank cleaning activities, including the associated tank landing/degassing occurrences associated with the tank cleaning activities from 3 to 4 per year. This revision includes authorizing one tank cleaning activity, including the associated tank landing/degassing for the six new IFR storage tanks being authorized as part of Permit No. 6606 amendment, which is currently under TCEQ's review.”³

Because the increases in permit 107625 are associated with the new tanks from the 2019 Expansion Project amendment to permit 6606, they are rightly included in the Expansion Project emissions increases, as shown in the 2019 version of Table 2F, above. Based on Flint Hills 2019 representations, the Expansion Project was a minor modification for SO₂.

Movants do not contest Flint Hills' 2019 Expansion Project Application. Rather, as explained below, Movants contest Flint Hills' 2021 Amendment relaxing restrictions from the 2019 Expansion Project and increasing SO₂ emissions above the major source threshold without conducting the requisite federal review.

c. Flint Hills' 2021 Amendment relaxes limitations on SO₂ emissions from the Expansion Project and is a major modification for SO₂.

Now, with its 2021 Amendment, Flint Hills seeks to authorize additional SO₂ for the 2019 Expansion Project. This amendment increases SO₂ above the major modification threshold and renders the Expansion Project a major modification. In its 2021 Amendment application, Flint Hills has provided an updated version of Table 2F that shows an increase in SO₂ from the marine

³ Flint Hills Revision Application (Nov. 8, 2018) Attachment A (Excepted); see also TCEQ Technical Review, Permit 107625 (Jan. 15, 2019) Attachment B.

vapor combustors emission point. Emissions of SO₂ from that emission point increased from 37.4 tons per year in the 2019 amendment to 38.1 tons per year in the 2021 Amendment.

According to Flint Hills' Amendment application, this increase is result of raising the total throughput of barge and ship loading of crude oil and condensate from 138,700,000 barrels to 187,200,000 barrels per rolling twelve months:

In 2019, The Port of Corpus Christi announced plans to deepen the Corpus Christi Channel to a depth capable of accommodating the transit of fully laden Very Large Crude Carrier Vessels by end of year 2022. This deepening dredge project will allow larger vessels to be loaded at the Ingleside Terminal. Therefore, FHR is proposing to increase the total combined throughput of the barge and ship loading of crude oil and stabilized condensate from 138,700,000 barrels to 187,200,000 barrels per rolling twelve months. FHR is not proposing to increase the hourly loading throughputs nor proposing any new construction as part of this project. The annual loading emissions calculations will be based on the increased annual loading rate which will increase the annual uncollected emissions from the ship and barge loading dock (EPN DOCK) as well as the annual controlled emissions from the three marine vapor combustion units (EPNs MVCU1, MVCU2, and MVCU3).⁴

Flint Hills states that the increased emissions from the marine vapor combustors are due to increased annual loading rate at the Terminal. This is a relaxation of an enforceable limitation covered by 40 C.F.R. 52.21(r)(4). And this relaxation puts Flint Hills' Expansion Project SO₂ emission increase above the 40 ton per year major modification threshold.

d. Flint Hills 2021 Amendment application improperly excludes maintenance, startup, and shutdown emissions from its federal applicability analysis.

In its 2021 Amendment application, Flint Hills updated Table 2F to show increased emissions of SO₂ from the marine vapor combustors resulting from its increased throughput at the Terminal. However, in updating Table 2F, Flint Hills has improperly omitted the project-associated MSS emissions increase in permit 107625.

The following Table 2F is from Flint Hills' 2021 Amendment application:

⁴ Flint Hills Resources Ingleside, LLC, *Ingleside Terminal Permit No. 6606 Amendment Application* (April 2021) Executive Summary at 2.

**TABLE 2F
PROJECT EMISSIONS INCREASE**

Pollutant ⁽¹⁾ : SO2			Permit : 6606							
Baseline Period : 2018 to 2019										
	B		A							
	Affected or Modified Facilities ⁽²⁾		Permit NO.	Actual Emissions ⁽³⁾ (tons/yr)	Baseline Emissions ⁽⁴⁾ (tons/yr)	Proposed Emissions ⁽⁵⁾ (tons/yr)	Projected Actual Emissions (tons/yr)	Difference (A-B) ⁽⁶⁾ (ton/yr)	Correction ⁽⁷⁾ (ton/yr)	Project Increase ⁽⁸⁾ (ton/yr)
	FIN	EPN								
1	DOCK/ MVCU1/ MVCU2/ MVCU3	MVCU1/ MVCU2/ MVCU3	6606	0.01	0.01	38.10		38.10		38.10
2										
3										
4										
5										
6										
7										
8										
9										
PAGE SUBTOTAL: ⁽⁹⁾										38.10
								Total		38.10

Unlike Table 2F from the 2019 application, this 2021 Table 2F omits the MSS emissions increase of 2.31 tons per year authorized by permit 107625 and associated with the additional loading/degassing and land/degassing of the new tanks from the Expansion Project.

As shown in Flint Hills’ amendment applications, quoted above, those MSS emissions are a direct result of the Expansion Project and must be included in determining if the emissions associated with the Expansion Project exceed the major modification threshold. By omitting the MSS emission increases from the 2021 Table 2F, Flint Hills is seeking to authorize a major modification without the requisite Prevention of Significant Deterioration review.

When the MSS emissions of 2.31 tons per year of SO₂ from emission point COMBMSS, authorized in permit 107625, are added to the as-built emissions of 38.10 tons per year of SO₂ from the marine vapor combustors in permit 6606, the total SO₂ emission increase from the Expansion Project is 40.41 tons per year of SO₂. Because the Expansion Project’s as-built emissions exceed the significant emission rate threshold of 40 tons per year, the project results in a “significant emissions increase” of SO₂.⁵ And because the project results in a significant emissions increase, an applicability threshold test (netting) is required to determine if it also results

⁵ 40 CFR §§ 51.166(b)(39), 51.21(b)(40).

in a significant net emissions increase.⁶ As discussed in Movants’ May 2 comments,⁷ a netting analysis shows that the 2021 Amendment also results in a net emissions increase of SO₂ greater than 40 tons per year, so the project results in a significant net emission increase.⁸

e. Flint Hills’ Amendment is a major modification for SO₂ and must undergo Prevention of Significant Deterioration Review..

Because the emissions from Flint Hills’ 2021 Amendment result in both a “significant emissions increase”⁹ of SO₂ and a “significant net emissions increase”¹⁰ of SO₂, the project is a major modification.¹¹ And because the project is a major modification, it must undergo federal Prevention of Significant Deterioration review, including a best available control technology analysis and a full impacts analysis.¹²

Additionally, because the project is a major modification, Flint Hills must issue a corrected public notice that reflects the major modification status of the project and the additional public participation rights that accompany that status.

f. The Executive Director’s Response to Comments failed to address Movants’ comments.

The Executive Director’s Response to Comments failed to adequately address the major source status of the Expansion Project. The Executive Director’s response concerned aggregation, which is not the issue commenters raised. The Executive Director failed to understand that the emissions in this 2021 Amendment reflect as-built emissions of the 2019 Expansion Project.

The relevant portion of the Executive Director’s Response to Comments states:

COMMENT 39: Federal Applicability

Commenters expressed concern about the quantity of emissions that will result from the project and if the project requires federal review, specifically if the emissions

⁶ 30 Tex Admin. Code 116.160 (b)(1); TCEQ, Major New Source Review – Applicability Determination (APDG 5881v8, Revised 01/22) at Page 15, available at

https://www.tceq.texas.gov/assets/public/permitting/air/Guidance/NewSourceReview/fnsr_app_determ.pdf

⁷ Environmental Integrity Project, Coastal Alliance to Protect Our Environment, Ingleside on the Bay Coastal Watch Association, *Comments and Public Meeting Request on the Application to Amend Air Quality Permit No. 6606 to Increase Emissions at the Flint Hills Resources Ingleside Marine Terminal* (May 2, 2022).

⁸ 40 CFR §§ 51.166(b)(3) and (23), 52.21(b)(3) and (23).

⁹ 40 CFR §§ 51.166(b)(39), 52.21(b)(40).

¹⁰ 40 CFR §§ 51.166(b)(3) and (23), 52.21(b)(3) and (23).

¹¹ 40 CFR §§ 51.166(b)(2)(i), 52.21(b)(2)(i).

¹² 30 Tex. Admin. Code § 116.160(c).

from MSS from PBR Registration No. 107625 should have been included in the federal review calculation, or if the site's recent 2019 expansion project should affect this project's federal applicability analysis. Commenters also stated that the project should calculate project emission increases based upon baseline actual emissions.

RESPONSE 39: [...] Flint Hills did not aggregate emissions from PBR Registration No. 107625, which authorized tank MSS emissions with Project No. 292889, or emission from the 2019 expansion project, and these emissions were not affected sources that should be included in the project emission increases. EPA's final action on project aggregation for the NSR Program states that projects should be technically and economically related to be aggregated. Projects that are more than three years apart are presumed to not be technically and economically related and should not be aggregated unless there is a compelling reason. Therefore, the project increases are still below the significant emission rates and are not subject to PSD permitting. [...] ¹³

Both the Executive Director's framing of our comments and its response show that the Executive Director failed to understand that this Amendment seeks to relax operational limits and increase SO₂ emissions beyond the major modification threshold in violation of 40 C.F.R. 51.21(r)(4).

This is not an issue of aggregation. With this Amendment, Flint Hills is updating the emissions from the 2019 Expansion Project, increasing throughput and SO₂ emissions from that project. The emissions Flint Hills seeks to authorize with this permit *are* the emissions from the Expansion Project. This is not a separate set of emission increases from the 2019 permit. Instead, this update shows that Flint Hills underestimated emissions from the Expansion Project when it was originally permitted in 2019. As explained above, now that Flint Hills has increased throughput at the Terminal and increased emissions for the marine vapor combustors in permit 6606, the Expansion Project authorized by this Amendment is plainly a major modification for SO₂.

III. CONCLUSION AND PRAYER FOR RELIEF

As explained above, Flint Hills underestimated SO₂ emissions increases in its Amendment and circumvented Prevention of Significant Deterioration review. The Executive Director lacked the authority to issue the permit without the required control technology analysis, impacts analysis,

¹³ Executive Director's Response to Public Comment, Flint Hills Resources Ingleside, LLC, Permit No. 6606 (October 11, 2022) at 26-27.

and public participation opportunities. Finally, the Executive Director wrongly denied Movant's hearing request.

Pursuant to 30 Tex. Admin. Code § 50.139, Ingleside on the Bay Coastal Watch Association and Coastal Alliance to Protect Our Environment request that the Commission overturn the Executive Director's approval of Flint Hills' Amendment for air quality permit number 6606 and remand the application to the Executive Director for processing as a major modification.

Respectfully,

/s/Colin Cox

ENVIRONMENTAL INTEGRITY PROJECT

Colin Cox

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1206 San Antonio St.

Austin, Texas 78701

Tel: 832-316-0580

colincox@environmentalintegrity.org

*Attorney for Ingleside on the Bay Coastal Watch
Association and Coastal Alliance to Protect Our
Environment*

Attachment A



Corpus Christi Refineries

P.O. Box 2608
Corpus Christi, Texas 78403-2608

November 8, 2018

VIA STEERS

Air Permit Initial Review Team ("APIRT")
Texas Commission on Environmental Quality ("TCEQ")
Air Permits Division
Via ePermits at: <https://www3.tceq.texas.gov/steers/>

Re: Flint Hills Resources Corpus Christi, LLC – Ingleside Terminal
Permit by Rule Registration No. 107625 Revision
Ingleside Terminal
Ingleside, San Patricio County Regulated Entity
No. RN100222744 Customer Reference No.
CN603741463 Account No. SD-0047-K

Attn: APIRT

On behalf of Flint Hills Resources Corpus Christi, LLC (FHR), I am submitting the enclosed revision to Permit by Rule (PBR) Registration No. 107625. This PBR registration documents the emissions from routine maintenance, startup, and shutdown (MSS) activities and temporary maintenance facilities at the Ingleside Terminal that are authorized under PBR §106.263.

The enclosed PBR registration revision is submitted to update the emissions from the MSS activities and temporary maintenance facilities to reflect more accurately the actual number of MSS activity occurrences the duration of MSS activities, and the types of temporary MSS facilities. Updates throughout the application are in red text. This revised application also reflects the revisions that were made in October 2013, but those updates are no longer in red text. In detail, the following changes are proposed in the enclosed PBR registration:

- Changes to true vapor pressures, temperatures, and H₂S concentration to align with representations in Permit No. 6606 for normal operation.
- Changes to equipment opening calculations to reflect more accurately the activities that occur and the actual number of occurrences and duration.
- Revising vacuum truck emissions to be based on outlet concentration of air contaminants from the control device.
- Adding the use of thermal oxidizers to control emissions from tank landing/degassing activities.
- Increasing the number of tank landing/degassing occurrences for maintenance or material change purposes from 3 to 10 per year. This revision includes authorizing one tank landing/degassing activity for maintenance or material change purposes for the six new internal floating roof (IFR) storage tanks being authorized as part of Permit No. 6606 amendment, which is currently under TCEQ's review.
- Increasing the number of tank cleaning activities, including the associated tank landing/degassing occurrences associated with the tank cleaning activities from 3 to 4 per year. This revision includes authorizing one tank cleaning activity, including the associated tank landing/degassing for the six new IFR storage tanks being authorized as part of Permit No. 6606 amendment, which is currently under TCEQ's review.

Air Permits Initial Review Team
(APIRT) TCEQ
November 8, 2018
Page 2

Included in this submittal are the Form PI-7-CERT and other supporting information. The \$450 PBR registration fee for this revision was submitted to the TCEQ Revenue Section via ePay.

If you have any questions regarding this submittal or require additional information, please contact Ms. Margaret Ndeti at (361) 242-4972 or via email at margaret.ndeti@fhr.com.

Sincerely,



Mita Upadhyay
Lead Environmental Engineer

MU/MN/rj
Air 18-349; I 3 O 2

Enclosures

Attachment B

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	107625	Company Name:	Flint Hills Resources Corpus Christi, LLC	APD Reviewer:	Guillermo Reyes, P.E.
Project No.:	292889	Unit Name:	FHR Ingleside Marine Terminal Facility- Revision: Change in Representation for MSS Activities	PBR No(s).:	106.263

GENERAL INFORMATION			
Regulated Entity No.:	RN100222744	Project Type:	Permit by Rule Application
Customer Reference No.:	CN603741463	Date Received by TCEQ:	November 8, 2018
City/County:	Ingleside, San Patricio County	Date Received by Reviewer:	November 27, 2018
Physical Location:	South end of FM 1069		

CONTACT INFORMATION					
Responsible Official/ Primary Contact Name and Title:	Mr. Brook A Vickery PE/ Vice President and Manufacturing Manager	Phone No.:	(361) 241-4811	Email:	REBECCA.JIMENEZ@FHR.COM
		Fax No.:	(361) 242-4840		
Technical Contact/ Consultant Name and Title:	Ms. Margaret Ndeti / Environmental Engineer	Phone No.:	(361) 242-4972	Email:	MARGARET.NDETTI@FHR.COM
		Fax No.:	(361) 242-8743		

GENERAL RULES CHECK	YES	NO	COMMENTS
Is confidential information included in the application?		X	
Has the PBR fee been paid?	X		Fee Receipt: 582EA000321098
Is this registration certified?	X		
Is this an APWL site?		X	
Are there any upstream or downstream affects associated with this registration?		X	
Is planned MSS included in the registration?	X		
Are there affected NSR or Title V authorizations for the project?	X		If yes, what is the number(s): NSR Permit No. 6606, Title V Permit No. O-3454
Is each PBR > 25/250 tpy?		X	
Are PBR sitewide emissions > 25/250 tpy?	NA		Site has undergone public notice
Are there permit limits on using PBRs at the site?		X	
Is PSD or Nonattainment netting required?		X	
Do NSPS, NESHAP, or MACT standards apply to this registration?		X	
Does NOx Cap and Trade apply to this registration?		X	
Is the facility in compliance with all other applicable rules and regulations?	X		

DESCRIBE OVERALL PROCESS AT THE SITE
<p>FHR's Ingleside Terminal is a marine terminal handling crude oil and condensate. Existing equipment at the facility includes ship and barge docks for loading and unloading crude oil and condensate and crude oil and condensate storage tanks along with ancillary equipment. Crude oil and condensate is received at the terminal via marine dock or via pipeline. Crude oil and condensate exit the terminal via loading dock or pipeline. There is no tank truck loading /tank truck unloading at this terminal.</p> <p>The terminal currently has fifteen crude oil and condensate storage tanks with capacities ranging from 80,000 bbls to 302,000 bbls. Five tanks are internal floating roof tanks and ten tanks are external floating roof tanks. FHR is planning to construct six new IFR tanks, which are being authorized by a pending amendment to Permit No. 6606 (TCEQ Project No. 284633).</p> <p>MSS emissions from the Ingleside Terminal are currently authorized under PBR Registration No. 107625. MSS emissions result from the following activities:</p> <p>Tank MSS (EPN TANKMSS): Activities in this category include tank landings and tank cleaning activities associated with tank component repairs and other operating needs as well as tank cleanings for required inspections and other maintenance purposes. The tanks which will experience landings and/or cleaning activities will vary from year to year, but all resulting emissions will be reported under this EPN.</p> <p>General Terminal MSS (EPN TERMMSS): Emissions included in this category are from activities including the use of vacuum truck at the terminal, temporary storage of material in frac tanks during maintenance activities, and the opening of piping and vessels for inspection and maintenance purposes. Vacuum trucks are controlled using carbon canisters when loading material greater than 0.5 psia. Other controls, such as VOC/HS scrubbers, may also be used to control the vacuum truck emissions. Vacuum trucks may be loaded uncontrolled if loading material less than 0.5 psia. The need for these activities varies from year to year, but the resulting emissions from these activities will be reported under this EPN.</p> <p>Combustion Emissions from Temporary Control Devices and Equipment (EPN COMBMSS): An internal combustion engine or thermal oxidizer will be used to control emissions from maintenance activities, such as tank landings and tank cleaning. When an engine or thermal oxidizer is used, emissions of VOC, NOx, CO, SO2, and PM may be generated. Emissions resulting from use of this equipment is calculated and reported under this</p>

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	107625	Company Name:	Flint Hills Resources Corpus Christi, LLC	APD Reviewer:	Guillermo Reyes, P.E.
Project No.:	292889	Unit Name:	FHR Ingleside Marine Terminal Facility- Revision: Change in Representation for MSS Activities	PBR No(s).:	106.263

EPN.

Painting (EPN PAINT): Storage tanks, piping and other terminal equipment is routinely painted to protect from rust and damage. The tanks and equipment painted vary from year to year. Emissions from all painting activities at the site will be calculated and reported under this EPN.

Abrasive Blasting (EPN BLAST): Abrasive Blasting is conducted at the terminal prepare surfaces for painting. Emissions from all blasting conducted at the terminal will be calculated and reported under this EPN.

The terminal may also conduct additional maintenance activities which TCEQ has classified as de minimis and do not require authorization.

DESCRIBE PROJECT AND INVOLVED PROCESS

FHR is proposing to revise PBR Registration No. 107625 to update the emissions from the MSS activities and temporary maintenance facilities to reflect more accurately the actual number of MSS activity occurrences the duration of MSS activities, and the types of temporary MSS facilities.

FHR replaces any prior representations with the representations in this PBR registration.

FHR is proposing the following changes to prior representations:

- Changes to true vapor pressures, temperatures, and H2S concentration to align with representations in Permit No. 6606 for normal operation.
- Changes to equipment opening calculations to reflect more accurately the activities that occur and the actual number of occurrences and duration.
- Revising vacuum truck emissions to be based on outlet concentration of air contaminants from the control device.
- Adding the use of thermal oxidizers to control emissions from tank landing/degassing activities.
- Increasing the number of tank landing/degassing occurrences for maintenance or material change purposes from 3 to 10 per year. This revision includes authorizing one tank loading/degassing activity for maintenance or material change purposes for the six new internal floating roof (IFR) storage tanks being authorized as part of Permit No. 6606 amendment, which is currently under TCEQ's review.
- Increasing the number of tank cleaning activities, including the associated tank landing/degassing occurrences associated with the tank cleaning activities from 3 to 4 per year. This revision includes authorizing one tank cleaning activity, including the associated tank landing/degassing for the six new IFR storage tanks being authorized as part of Permit No. 6606 amendment, which is currently under TCEQ's review.




TECHNICAL SUMMARY - DESCRIBE HOW THE PROJECT MEETS THE RULES

<u>§106.263. Routine Maintenance, Start-up and Shutdown of Facilities, and Temporary Maintenance Facilities</u>	
§106.263(a)(b)	PBR will not authorizes routine maintenance, start-up and shutdown of facilities, and specific temporary maintenance facilities specified in subsection (b) of this section§106.263(b).
§106.263(c)	Only activities specified in this section are being authorized.
§106.263(d)	MSS emissions are less than the 24-hour reportable quantities listed in 30 TAC §101.1(88) and will comply with this section.
(§106.263(e)	Temporary maintenance facilities are included in this section and will meet the conditions this section.
§106.263(f)	MSS activities will not exceed the emission limits specified in §106.4(a)(1) - (3) in any 12-month rolling period.
§106.263(g)	FHR will collect and retain the required records for all MSS activities.

TECHNICAL REVIEW: AIR PERMIT BY RULE

Permit No.:	107625	Company Name:	Flint Hills Resources Corpus Christi, LLC	APD Reviewer:	Guillermo Reyes, P.E.
Project No.:	292889	Unit Name:	FHR Ingleside Marine Terminal Facility- Revision: Change in Representation for MSS Activities	PBR No(s).:	106.263

ESTIMATED EMISSIONS														
EPN / Emission Source	VOC		NOx		CO		PM		PM ₁₀		PM _{2.5}		SO ₂	
	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy	lbs/hr	tpy
TERMMSS/ Miscellaneous Terminal MSS	6.17	0.36												
LOWMSS/ Inherently Low MSS	3.81	0.14												
COMBMSS/ Control of Tank MSS Emissions	5.35	1.04	0.90	0.95	1.48	1.56	0.11	0.13	0.11	0.13	0.11	0.13	74.42	13.45
TANKMSS/ Uncontrolled Tank MSS Emissions	117.67	13.60												
BLAST/ Abrasive Blasting Emissions							59.00	8.85	14.00	2.10	1.30	2.10		
PAINT/ Painting Emissions	344.09	7.49					112.29	1.67	112.29	1.67	112.29	1.67		
TOTAL EMISSIONS (TPY):		22.63		0.95		1.56		10.65		3.90		3.90		13.45
MAXIMUM OPERATING SCHEDULE:	Hours/Day			Days/Week			Weeks/Year			Hours/Year			8,760	

	TECHNICAL REVIEWER	PEER REVIEWER	FINAL REVIEWER
SIGNATURE:			
PRINTED NAME:	Mr. Guillermo E. Reyes, P.E.	Ms. Nancy Akintan	Mr. Mark Meyer, Manager
DATE:	January 7, 2019	January 8, 2019	January 15, 2019