

**From:** [Jonathan Walling](#)  
**To:** [REDACTED] [Jeff Saitas](#); [Nitzel, Ryan](#)  
**Cc:** [OCE](#)  
**Subject:** Buckeye Texas Processing TK1003 Extension Request  
**Date:** Tuesday, September 15, 2020 12:21:53 PM

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Good afternoon, Mr. Cummings:

The TCEQ has evaluated your enforcement discretion request to allow for additional time needed to repair a seal failure on crude oil tank TK1003. The repairs are needed to remain in compliance with 40 CFR § 60.113b(a)(2).

The TCEQ will exercise enforcement discretion under the guidelines established for the COVID-19 pandemic and will be valid until November 1, 2020. The required activities shall be completed as soon as practicable by this date, as conditions allow.

Emissions must be monitored as specified in your request and in accordance with any applicable permit by rule or other authorizations for temporary control devices. This enforcement discretion is limited to the Texas Commission on Environmental Quality. It does not limit EPA's ability to enforce federal regulations.

Regulated entities must maintain records adequate to document activities related to any noncompliance under enforcement discretion, including details of the regulated entity's best efforts to comply.

Regards,

Jonathan Walling, Area Director  
Coastal & East Texas Area  
Texas Commission on Environmental Quality

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**From:** Cummings, Anthony <[REDACTED]>  
**Sent:** Friday, September 11, 2020 3:36 PM  
**To:** OCE <[OCE@tceq.texas.gov](mailto:OCE@tceq.texas.gov)>  
**Cc:** Jeff Saitas <[REDACTED]> Nitzel, Ryan <[REDACTED]>  
**Subject:** Buckeye Texas Processing TK1003 Extension Request

To Whom It May Concern,

Buckeye Texas Processing (BTP) is requesting enforcement discretion for additional time to repair crude oil tank TK1003 due to a seal failure. BTP has a regulated entity number of RN106620438 with a customer number of CN604275107.

**Background:**

BTP has six (6) crude tanks onsite (EPNs TK1001 – 1006). These tanks are internal floating roof tanks

with a mechanical shoe and a rim-mounted secondary seals. BTP has found that four of the crude tanks (TK1001, TK1002, and TK1006, and TK1003) have a design flaw that resulted in product seeping onto the internal floating roof of these tanks. BTP is required to do 'tank top' secondary seal inspections annually as required by NSPS Kb and is required to do semi-annual checks per Special Condition 21B of New Source Review permit number 109923. However, BTP has been doing monthly checks to ensure product is not seeping onto the roof of these IFR tanks. During one of these monthly checks, BTP found that product had seeped onto the IFR of TK1003. Although this was not an annual or semi-annual inspection, it is clearly a seal failure and BTP has submitted a seal failure notification and taken the tank out of service for repair. As previously mentioned, BTP has had four seal failures on its crude tanks since May 1. TK1002 has been repaired and is back in service. TK1001 is currently out of service and those repairs will be made within the allotted time as well. TK1006 is scheduled to be taken out of service and repaired within the time allowed by the rules including any approved extension.

However, taking crude tank TK1003 out of service at the same time as tank TK1006 would require Buckeye to either interrupt crude oil delivery to a customer or require the shutdown of the BTP splitter unit down due to an insufficient volume of crude for the unit to run. Buckeye is proposing to use additional, temporary controls on the tanks during the period of this extension request such that the emission rates after that control are less than the permitted emission rates for the tanks. Enforcement discretion has been previously granted for TK1006 and so enforcement discretion is only being requested for TK1003 at this time.

**Citation:**

40 CFR § 60.113b(a)(2)

**Citation Text:**

§ 60.113b(a)(2) - For Vessels equipped with a liquid-mounted or mechanical shoe primary seal, visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Administrator in the inspection report required in § 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

**Timeframe of Request:**

The 45-day period specified in rule to repair TK1003 ended on 8/29 and the extension, which was previously granted by the TCEQ, ends on 9/30. BTP is currently requesting an additional 31-day extension to November 1 (11/1/2020) to allow Buckeye to remove and repair tank TK1003 after completion of repairs on TK1006. BTP is currently controlling emissions from tank TK1003 with a 4 MMBTU/hr. vapor combustor as well as limiting the crude fill rate into the tank in order to ensure

that controlled emissions from the tank remain less than permitted values. A vapor combustor has been chosen by BTP as the control device as it is believed that it is the most effective for this type of vapor control.

If you would like any additional information, please feel free to contact me at 361-461-1841 or

[REDACTED]

Regards,  
Tony

Anthony Cummings  
Environmental Manager  
Buckeye Texas Processing  
361-461-1841