STATE OF MISSISSIPPI
AIR POLLUTION CONTROL
TITLE V PERMIT

TO OPERATE AIR EMISSIONS EQUIPMENT

THIS CERTIFIES THAT

Denbury Onshore LLC, Mallalieu EOR Facility
1043 Mount Olive Road
Bogue Chitto, Mississippi
Lincoln County

has been granted permission to operate air emissions equipment in accordance with emission limitations, monitoring requirements and conditions set forth herein. This permit is issued in accordance with Title V of the Federal Clean Air Act (42 U.S.C.A. § 7401 - 7671) and the provisions of the Mississippi Air and Water Pollution Control Law (Section 49-17-1 et. seq., Mississippi Code of 1972), and the regulations and standards adopted and promulgated thereunder.

Permit Issued: _____

Effective Date: As specified herein.

MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD

_____

AUTHORIZED SIGNATURE
MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

Expires:[Date not to exceed 5 yrs from issuance] **Permit No.: 1620-00038**

Draft/Proposed

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SECTION 1. GENERAL CONDITIONS

1.1 The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Federal Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(6)(a).)

1.2 It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(6)(b).)

1.3 This permit and/or any part thereof may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(6)(c).)

1.4 Prior to its expiration, this permit may be reopened in accordance with the provisions listed below.

(a) This permit shall be reopened and revised under any of the following circumstances:

(1) Additional applicable requirements under the Federal Act become applicable to a major Title V source with a remaining permit term of 3 or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended.

(2) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

(3) The Permit Board or EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit.

(4) The Administrator or the Permit Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(b) Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall only affect those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.

(c) Reopenings shall not be initiated before a notice of such intent is provided to the Title V source by the DEQ at least 30 days in advance of the date that the permit is to be reopened, except that the Permit Board may provide a shorter time period in the case of an emergency.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.4.G)

1.5 The permittee shall furnish to the DEQ within a reasonable time any information the DEQ may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permittee or, for information to be confidential, the permittee shall furnish such records to DEQ along with a claim of confidentiality. The permittee may furnish such records directly to the Administrator along with a claim of confidentiality. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(6)(e).)

1.6 This permit does not convey any property rights of any sort, or any exclusive privilege. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(6)(d).)

1.7 The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstances, is challenged or held invalid, the validity of the remaining permit provisions and/or portions thereof or their application to other persons or sets of circumstances, shall not be affected thereby. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(5).)

1.8 The permittee shall pay to the DEQ an annual permit fee. The amount of fee shall be determined each year based on the provisions of regulated pollutants for fee purposes and the fee schedule specified in the Commission on Environmental Quality's order which shall be issued in accordance with the procedure outlined in Regulation 11 Miss. Admin. Code Pt. 2, Ch. 6.

(a) For purposes of fee assessment and collection, the permittee shall elect for actual or allowable emissions to be used in determining the annual quantity of emissions unless the Commission determines by order that the method chosen by the applicant for calculating actual emissions fails to reasonably represent actual emissions. Actual emissions shall be calculated using emission monitoring data or direct emissions measurements for the pollutant(s); mass balance calculations such as the amounts of the pollutant(s) entering and leaving process equipment and where mass balance calculations can be supported by direct measurement of process parameters, such direct measurement data shall be supplied; published emission factors such as those relating release quantities to throughput or equipment type (e.g., air emission factors); or other approaches such as engineering calculations (e.g., estimating volatilization

using published mathematical formulas) or best engineering judgments where such judgments are derived from process and/or emission data which supports the estimates of maximum actual emission. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.6.A(2).)

(b) If the Commission determines that there is not sufficient information available on a facility's emissions, the determination of the fee shall be based upon the permitted allowable emissions until such time as an adequate determination of actual emissions is made. Such determination may be made anytime within one year of the submittal of actual emissions data by the permittee. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.6.A(2).) If at any time within the year the Commission determines that the information submitted by the permittee on actual emissions is insufficient or incorrect, the permittee will be notified of the deficiencies and the adjusted fee schedule. Past due fees from the adjusted fee schedule will be paid on the next scheduled quarterly payment time. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.6.D(2).)

(c) The fee shall be due September 1 of each year. By July 1 of each year the permittee shall submit an inventory of emissions for the previous year on which the fee is to be assessed. The permittee may elect a quarterly payment method of four (4) equal payments; notification of the election of quarterly payments must be made to the DEQ by the first payment date of September 1. The permittee shall be liable for penalty as prescribed by State Law for failure to pay the fee or quarterly portion thereof by the date due. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.6.D.)

(d) If in disagreement with the calculation or applicability of the Title V permit fee, the permittee may petition the Commission in writing for a hearing in accordance with State Law. Any disputed portion of the fee for which a hearing has been requested will not incur any penalty or interest from and after the receipt by the Commission of the hearing petition. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.6.C.)

1.9 No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(8).)

1.10 Any document required by this permit to be submitted to the DEQ shall contain a certification by a responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.2.E.)

1.11 The permittee shall allow the DEQ, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to perform the following:

(a) enter upon the permittee's premises where a Title V source is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;

(b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

(c) inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

(d) as authorized by the Federal Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.C(2).)

1.12 Except as otherwise specified or limited herein, the permittee shall have necessary sampling ports and ease of accessibility for any new air pollution control equipment, obtained after May 8, 1970, and vented to the atmosphere. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.I(1).)

1.13 Except as otherwise specified or limited herein, the permittee shall provide the necessary sampling ports and ease of accessibility when deemed necessary by the Permit Board for air pollution control equipment that was in existence prior to May 8, 1970. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.I(2).)

1.14 Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance where such applicable requirements are included and are specifically identified in the permit or where the permit contains a determination, or summary thereof, by the Permit Board that requirements specifically identified previously are not applicable to the source. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.F(1).)

1.15 Nothing in this permit shall alter or affect the following:

(a) the provisions of Section 303 of the Federal Act (emergency orders), including the authority of the Administrator under that section;

(b) the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

(c) the applicable requirements of the acid rain program, consistent with Section 408(a) of the Federal Act.

(d) the ability of EPA to obtain information from a source pursuant to Section 114 of the Federal Act.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.F(2).)

1.16 The permittee shall comply with the requirement to register a Risk Management Plan if permittee's facility is required pursuant to Section 112(r) of the Act to register such a plan. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.H.)

1.17 Expiration of this permit terminates the permittee's right to operate unless a timely and complete renewal application has been submitted. A timely application is one which is submitted at least six (6) months prior to expiration of the Title V permit. If the permittee submits a timely and complete application, the failure to have a Title V permit is not a violation of regulations until the Permit Board takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the permittee fails to submit by the deadline specified in writing by the DEQ any additional information identified as being needed to process the application. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.4.C(2)., R. 6.4.B., and R. 6.2.A(1)(c).)

1.18 The permittee is authorized to make changes within their facility without requiring a permit revision (ref: Section 502(b)(10) of the Act) if:

(a) the changes are not modifications under any provision of Title I of the Act;

(b) the changes do not exceed the emissions allowable under this permit;

(c) the permittee provides the Administrator and the Department with written notification in advance of the proposed changes (at least seven (7) days, or such other time frame as provided in other regulations for emergencies) and the notification includes:

(1) a brief description of the change(s),

(2) the date on which the change will occur,

(3) any change in emissions, and

(4) any permit term or condition that is no longer applicable as a result of the change;

(d) the permit shield shall not apply to any Section 502(b)(10) change.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.4.F(1).)

1.19 Should the Executive Director of the Mississippi Department of Environmental Quality declare an Air Pollution Emergency Episode, the permittee will be required to operate in accordance with the permittee's previously approved Emissions Reduction Schedule or, in the absence of an approved schedule, with the appropriate requirements specified in 11 Miss. Admin. Code Pt. 2, Ch. 3., "Regulations for the Prevention of Air Pollution

Emergency Episodes" for the level of emergency declared. (Ref.: 11 Miss. Admin. Code Pt. 2, Ch. 3.)

1.20 Except as otherwise provided herein, a modification of the facility may require a Permit to Construct in accordance with the provisions of Regulations 11 Miss. Admin. Code Pt. 2, Ch. 2., "Permit Regulations for the Construction and/or Operation of Air Emissions Equipment", and may require modification of this permit in accordance with Regulations 11 Miss. Admin. Code Pt. 2, Ch. 6., "Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act". Modification is defined as "[a]ny physical change in or change in the method of operation of a facility which increases the actual emissions or the potential uncontrolled emissions of any air pollutant subject to regulation under the Federal Act emitted into the atmosphere by that facility or which results in the emission of any air pollutant subject to regulation under the Federal Act into the atmosphere not previously emitted. A physical change or change in the method of operation shall not include:

(a) routine maintenance, repair, and replacement;

(b) use of an alternative fuel or raw material by reason of an order under Sections 2 (a) and (b) of the Federal Energy Supply and Environmental Coordination Act of 1974 (or any superseding legislation) or by reason of a natural gas curtailment plan pursuant to the Federal Power Act;

(c) use of an alternative fuel by reason of an order or rule under Section 125 of the Federal Act;

(d) use of an alternative fuel or raw material by a stationary source which:

(1) the source was capable of accommodating before January 6, 1975, unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166; or

(2) the source is approved to use under any permit issued under 40 CFR 52.21 or under regulations approved pursuant to 40 CFR 51.166;

(e) an increase in the hours of operation or in the production rate unless such change would be prohibited under any federally enforceable permit condition which was established after January 6, 1975, pursuant to 40 CFR 52.21 or under regulations approved pursuant to 40 CFR Subpart I or 40 CFR 51.166; or

(f) any change in ownership of the stationary source.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 2.1.C(15).)

1.21 Any change in ownership or operational control must be approved by the Permit Board. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.4.D(4).)

1.22 This permit is a Federally approved operating permit under Title V of the Federal Clean Air Act as amended in 1990. All terms and conditions, including any designed to limit the source's potential to emit, are enforceable by the Administrator and citizens under the Federal Act as well as the Commission. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.B(1).)

1.23 Except as otherwise specified or limited herein, the open burning of residential, commercial, institutional, or industrial solid waste, is prohibited. This prohibition does not apply to infrequent burning of agricultural wastes in the field, silvicultural wastes for forest management purposes, land-clearing debris, debris from emergency clean-up operations, and ordnance. Open burning of land-clearing debris must not use starter or auxiliary fuels which cause excessive smoke (rubber tires, plastics, etc.); must not be performed if prohibited by local ordinances; must not cause a traffic hazard; must not take place where there is a High Fire Danger Alert declared by the Mississippi Forestry Commission or Emergency Air Pollution Episode Alert imposed by the Executive Director and must meet the following buffer zones.

(a) Open burning without a forced-draft air system must not occur within 500 yards of an occupied dwelling.

(b) Open burning utilizing a forced-draft air system on all fires to improve the combustion rate and reduce smoke may be done within 500 yards of but not within 50 yards of an occupied dwelling.

(c) Burning must not occur within 500 yards of commercial airport property, private air fields, or marked off-runway aircraft approach corridors unless written approval to conduct burning is secured from the proper airport authority, owner or operator.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.G.)

1.24 Except as otherwise specified herein, the permittee shall be subject to the following provision with respect to emergencies:

(a) Except as otherwise specified herein, an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

(b) An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in (c) following are met.

(c) The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs, or other relevant evidence that include information as follows:

(1) an emergency occurred and that the permittee can identify the cause(s) of the emergency;

(2) the permitted facility was at the time being properly operated;

(3) during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) the permittee submitted notice of the emergency to the DEQ within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(d) In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

(e) This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.G.)

1.25 Except as otherwise specified herein, the permittee shall be subject to the following provisions with respect to upsets, startups, and shutdowns.

(a) Upsets (as defined in 11 Miss. Admin. Code Pt. 2, R. 1.2.)

(1) For an upset, the Commission may pursue an enforcement action for noncompliance with an emission standard or other requirement of an applicable rule, regulation, or permit. In determining whether to pursue enforcement action, and/or the appropriate enforcement action to take, the Commission may consider whether the source has demonstrated through properly signed contemporaneous operating logs or other relevant evidence the following:

(i) An upset occurred and that the source can identify the cause(s) of the upset;

(ii) The source was at the time being properly operated;

(iii) During the upset the source took all reasonable steps to minimize levels of emissions that exceeded the emission standard or other requirement of an applicable rule, regulation, or permit;

(iv) That within 5 working days of the time the upset began, the source submitted a written report to the Department describing the upset, the steps taken to mitigate excess emissions or any other noncompliance, and the corrective actions taken and;

(v) That as soon as practicable but no later than 24 hours of becoming aware of an upset that caused an immediate adverse impact to human health or the environment beyond the source boundary or caused a general nuisance to the public, the source provided notification to the Department.

(2) In any enforcement proceeding by the Commission, the source seeking to establish the occurrence of an upset has the burden of proof.

(3) This provision is in addition to any upset provision contained in any applicable requirement.

(4) These upset provisions apply only to enforcement actions by the Commission and are not intended to prohibit EPA or third party enforcement actions.

(b) Startups and Shutdowns (as defined in 11 Miss. Admin. Code Pt. 2, R. 1.2.)

(1) Startups and shutdowns are part of normal source operation. Emission limitations apply during startups and shutdowns unless source specific emission limitations or work practice standards for startups and shutdowns are defined by an applicable rule, regulation, or permit.

(2) Where the source is unable to comply with existing emission limitations established under the State Implementation Plan (SIP) and defined in this regulation, 11 Mississippi Administrative Code, Part 2, Chapter 1, the Department will consider establishing source specific emission limitations or work practice standards for startups and shutdowns. Source specific emission limitations or work practice standards established for startups and shutdowns are subject to the requirements prescribed in 11 Miss. Admin. Code Pt. 2, R. 1.10.B(2)(a) through (e).

(3) Where an upset as defined in Rule 1.2 occurs during startup or shutdown, see the upset requirements above.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.10.)

1.26 The permittee shall comply with all applicable standards for demolition and renovation activities pursuant to the requirements of 40 CFR Part 61, Subpart M, as adopted by reference in Regulation 11 Miss Admin. Code Pt. 2, R. 1.8. The permittee shall not be required to obtain a modification of this permit in order to perform the referenced activities. (Ref.: 11 Miss Admin. Code Pt. 2, R. 1.8.)

SECTION 2. EMISSION POINTS & POLLUTION CONTROL DEVICES

Emission Point[1]	Facility Reference No.	Description
AA-101	44-15-LP-RG	Low Pressure Relief Gas vented to the atmosphere when the Vapor Recovery Unit (VRU) is down
AA-105a *Insignificant Activity*	2-05-LH-BS	3.8 MMBtu/hr natural gas-fired heater treater (V-105A)
AA-105b *Insignificant Activity*	2B-13-HT-BS	3.8 MMBtu/hr natural gas-fired heater treater (V-105B)
AA-106	3-05-LH-BS	9 MMBtu/hr natural gas-fired heater treater (H-106)
AA-107 *Insignificant Activity*	4-05-SBP	Sand blowdown pit (SP-120)
AA-118	5-05-OST-V	3,000-barrel (126,000-gallon) vertical, fixed roof wet oil tank (V-118A) vented to the Control Flare (AA-140)
AA-119a	6-05-OST-V	3,000-barrel (126,000-gallon) vertical, fixed roof wet/dry oil tank (V-119A) vented to the Control Flare (AA-140)
AA-119b	7-05-OST-V	5,000-barrel (210,000-gallon) vertical, fixed roof dry oil tank (V-119B) vented to the Control Flare (AA-140)
AA-120a	8a-05-GBT-CV	1,500-barrel (63,000-gallon) vertical, fixed roof oil/water skim tank (V-120A); may be vented to the Control Flare (AA-140) though not required
AA-120b	8b-05-GBT-CV	1,500-barrel (63,000-gallon) vertical, fixed roof oil/water skim tank (V-120B); may be vented to the Control Flare (AA-140) though not required
AA-129a *Insignificant Activity*	9a-05-WST-CV	2,000-barrel (84,000-gallon) vertical, fixed roof produced water tank (V-129A)
AA-129b *Insignificant Activity*	9b-05-WST-CV	2,000-barrel (84,000-gallon) vertical, fixed roof produced water tank (V-129B)
AA-129c	9c-05-WST-CV	4,500-barrel (189,000-gallon) vertical, fixed roof produced water tank (V-129C)
AA-132 *Insignificant Activity*	10-05-SOT-V	300-barrel (12,600-gallon) vertical, fixed roof slop oil tank (V-132)
AA-133a	11-05-IOT-V	1,000-barrel (42,000-gallon) vertical, fixed roof produced oil with inhibitors storage tank (V-133A)
AA-133b	12-05-IOT-V	1,000-barrel (42,000-gallon) vertical, fixed roof produced oil with inhibitors storage tank (V-133B)

[1] Insignificant activities for which detailed information was provided in the application are included in this table for completeness.

Emission Point[1]	Facility Reference No.	Description
AA-135 *Insignificant Activity*	14-05-SEP-V	47,872-gallon API oil/water separator
AA-136 *Insignificant Activity*	15-05-WST-CV	3,000-barrel (126,000-gallon) vertical, fixed roof salt water storage tank (V-152)
AA-137 *Insignificant Activity*	16-05-ST-V	16,075-gallon vertical, fixed roof API separator tank (V-154A)
AA-138 *Insignificant Activity*	17-05-ST-V	16,075-gallon vertical, fixed roof API separator tank (V-154A)
AA-139	18-05-FE	Facility-wide fugitive emissions
AA-140	19-05-F	Flare controlling emissions from Emission Points AA-118, AA-119a, AA-119b, and AA-147
AA-142	21-05-CB	High-pressure compressor blowdowns
AA-144	23-05-CB	Low-pressure compressor blowdowns
AA-147	29-09-OST-CV	5,000-barrel (210,000-gallon) vertical, fixed roof dry oil tank (V-119C) vented to the Control Flare (AA-140)
AA-148	30-09-IOT-CV	1,500-barrel (63,000-gallon) vertical, fixed roof produced oil with inhibitors storage tank (V-133A)
AA-149	31-09-I	14.2 MMBtu/hr Incinerator (V-151) controlling emissions from low-pressure relief gas during emergencies or when the VRU is down
AA-150 *Insignificant Activity*	32-13-LH-BS	3.5 MMBtu/hr line heater (H-108)
AA-151 *Insignificant Activity*	33-13-HT-BS	0.5 MMBtu/hr heater treater (V-118)
AA-152	34a-13-LH-BS	30 MMBtu/hr line heater (H-104A)
AA-153	34b-13-LH-BS	30 MMBtu/hr line heater (H-104B)
AA-154 *Insignificant Activity*	35a-13-WST-CV	400-barrel (16,800-gallon) vertical, fixed roof produced water storage tank (V-154A)
AA-155 *Insignificant Activity*	35b-13-WST-CV	400-barrel (16,800-gallon) vertical, fixed roof produced water storage tank (V-154B)
AA-156	43-14-GST	1,000-gallon gasoline storage tank

SECTION 3. EMISSION LIMITATIONS & STANDARDS

A. Facility-Wide Emission Limitations & Standards

3.A.1 Except as otherwise specified or limited herein, the permittee shall not cause, permit, or allow the emission of smoke from a point source into the open air from any manufacturing, industrial, commercial or waste disposal process which exceeds forty (40) percent opacity subject to the exceptions provided in (a) & (b).

(a) Startup operations may produce emissions which exceed 40% opacity for up to fifteen (15) minutes per startup in any one hour and not to exceed three (3) startups per stack in any twenty-four (24) hour period.

(b) Emissions resulting from soot blowing operations shall be permitted provided such emissions do not exceed 60 percent opacity, and provided further that the aggregate duration of such emissions during any twenty-four (24) hour period does not exceed ten (10) minutes per billion BTU gross heating value of fuel in any one hour.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.A.)

3.A.2 Except as otherwise specified or limited herein, the permittee shall not cause, allow, or permit the discharge into the ambient air from any point source or emissions, any air contaminant of such opacity as to obscure an observer's view to a degree in excess of 40% opacity, equivalent to that provided in Paragraph 3.A.1. This shall not apply to vision obscuration caused by uncombined water droplets. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.B.)

B. Emission Point Specific Emission Limitations & Standards

Emission Point(s)	Applicable Requirement	Condition Number(s)	Pollutant/ Parameter	Limit/Standard
AA-149 AA-152 AA-153	11 Miss. Admin. Code Pt. 2, R. 1.3.D(1)(b).	3.B.1	PM (filterable only)	E $0.8808*I^{-0.1667}$
AA-106 AA-140	11 Miss. Admin. Code Pt. 2, R. 1.3.D(1)(a).	3.B.2	PM (filterable only)	0.6 lb per MMBtu

Emission Point(s)	Applicable Requirement	Condition Number(s)	Pollutant/ Parameter	Limit/Standard
AA-106 AA-140 AA-149 AA-152 AA-153	11 Miss. Admin. Code Pt. 2, R. 1.4.A(1).	3.B.3	SO_2	4.8 lb per MMBtu
AA-118 AA-119a AA-119b AA-147	Permit to Construct a Moderate Stationary Source issued December 18, 2008, and modified via the Title V Operating Permit issued [DATE]	3.B.4	Operating Restriction	Emissions shall be vented to the flare.
AA-140	Permit to Construct a Moderate Stationary Source issued December 18, 2008; 40 CFR Part 63.11(b)(4)-(5)	3.B.5	Operating Restrictions	Flare shall be operated with a flame present at all times and with no visible emissions, except for a period of 5 minutes during any 2 consecutive hours.
AA-101	Permit to Construct a Moderate Stationary Source issued December 18, 2008, and modified via the Title V Operating Permit issued [DATE]	3.B.6	Operating Restriction	Off-gases from the electrostatic treater and produced water flash vessel shall be captured and sent to the VRU
Facility-wide	40 CFR Part 63, Subpart HH – NESHAP from Oil and Natural Gas Production Facilities and 40 CFR Part 63, Subpart A – General Provisions 40 CFR 63.760(b)(1)(ii) and 63.764(a)	3.B.7	HAP	Applicability
AA-119a AA-119b AA-147	40 CFR 63.762, Subpart HH	3.B.8	HAP	Affirmative defense for violations of emission standards during a malfunction
	40 CFR 63.764(c)(2)(i) and 63.766(b)(1) and (c), Subpart HH	3.B.9	HAP	Storage vessels shall be covered and routed through a closed-vent system to a flare.
	40 CFR 63.771(b), Subpart HH	3.B.10	HAP	Cover requirements.
	40 CFR 63.771(c), Subpart HH	3.B.11	HAP	Closed-vent system requirements.
AA-140	40 CFR 63.771(d)(1)(iii), Subpart HH	3.B.12	HAP	The flare shall be designed and operated in accordance with §63.11(b).
	40 CFR 63.771(d)(4)(i), Subpart HH	3.B.13	HAP	The flare shall operate at all times when emissions are vented to it.

Emission Point(s)	Applicable Requirement	Condition Number(s)	Pollutant/ Parameter	Limit/Standard
Facility-wide, including AA-156	40 CFR 63 Subpart CCCCCC - NESHAP for Source Category Gasoline Dispensing Facilities	3.B.14	HAP	Applicability

3.B.1 For Emission Points AA-149, AA-152, and AA-153, the maximum permissible emission of ash and/or particulate matter from fossil fuel burning installations equal to or greater than 10 million Btu per hour heat input but less than 10,000 million Btu heat input shall not exceed an emission rate as determined by the following relationship: $E=0.8808*I^{-0.1667}$, where E is the emission rate in pounds per million Btu per hour heat input and I is the heat input in millions of Btu per hour. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.D(1)(b).)

3.B.2 For Emission Points AA-106 and AA-140, the maximum permissible emission of ash and/or particulate matter from fossil fuel burning installations of less than 10 million Btu per hour heat input shall not exceed 0.6 pounds per million Btu per hour heat input. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.D(1)(a).)

3.B.3 For Emission Points AA-106, AA-140, AA-149, AA-152, and AA-153, the maximum discharge of sulfur oxides from any fuel burning installation in which fuel is burned primarily to produce heat or power by indirect heat transfer shall not exceed 4.8 pounds (measured as sulfur dioxide) per million Btu heat input. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.4.A(1).)

3.B.4 The permittee shall vent all emissions from Emission Points AA-118, AA-119a, AA-119b, and AA-147, except emissions resulting from thief hatch openings, to the flare (AA-140). (Ref.: Permit to Construct a Moderate Stationary Source issued December 18, 2008, and modified via the Title V Operating Permit issued [DATE])

3.B.5 For Emission Point AA-140, the permittee shall operate the flare with a flame present at all times and with no visible emissions, except for a period of five (5) minutes in any two (2) consecutive hours. (Ref.: Permit to Construct a Moderate Stationary Source issued December 18, 2008, and 40 CFR Part 63.11(b)(4)-(5))

3.B.6 For Emission Point AA-101, low-pressure off-gases produced by the electrostatic treater and produced water flash vessel shall be captured and sent to the Vapor Recovery Unit (VRU). The recovered liquids shall be routed from the VRU to the oil storage tanks (AA-119a, AA-119b, or AA-147). The gases from the VRU shall be routed to the low-pressure (LP) compressor system. During VRU upsets or maintenance down-time, the low-pressure off-gases may be vented to the Incinerator (AA-149) or directly to the atmosphere. (Ref.: Permit to Construct a Moderate Stationary Source issued December 18, 2008, and modified via the Title V Operating Permit issued [DATE])

3.B.7 The facility is subject to and shall comply with the National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities, 40 CFR Part 63, Subpart HH and all applicable requirements contained in the General Provisions, 40 CFR Part 63, Subpart A as summarized in Table 2 of Subpart HH. The affected sources under this standard are each storage vessel with the potential for flash emissions, that is, Emission Points AA-119a, AA-119b, and AA-147. (Ref.: 40 CFR 63.760(b)(1)(ii) and 63.764(a), Subpart HH)

3.B.8 For Emission Points AA-119a and AA-119b, in response to an action to enforce the standards set forth in Subpart HH, the permittee may assert an affirmative defense to a claim for civil penalties for violations of such standards that are caused by malfunction, as defined in 40 CFR 63.2. Appropriate penalties may be assessed; however, if the permittee fails to meet the burden of proving all of the requirements in the affirmative defense, the affirmative defense shall not be available for claims for injunctive relief. To establish affirmative defense, the permittee shall comply with the requirements of 40 CFR 63.762(d). (Ref.: 40 CFR 63.762(a) and (d), Subpart HH)

3.B.9 For Emission Points AA-119a, AA-119b, and AA-147, the permittee shall equip the storage vessels with a cover that is connected, through a closed-vent system that meets the conditions specified in 40 CFR 63.771(c), to a control device or a combination of control devices that meets any of the conditions specified in 40 CFR 63.771(d). The cover shall be designed and operated in accordance with the requirements of 40 CFR 63.771(b). One or more safety devices that vent directly to the atmosphere may be used on the storage vessel and air emission control equipment. (Ref.: 40 CFR 63.764(c)(2)(i) and 63.766(b)(1) and (c), Subpart HH)

3.B.10 For Emission Points AA-119a, AA-119b, and AA-147, the permittee shall meet the following cover requirements.

(a) The cover and all openings on the cover (e.g., access hatches, sampling ports, and gauge wells) shall be designed to form a continuous barrier over the entire surface area of the liquid in the storage vessel.

(b) Each cover opening shall be secured in a closed, sealed position (e.g., covered by a gasketed lid or cap) whenever material is in the unit on which the cover is installed except during those times when it is necessary to use an opening as follows:

(1) To add material to, or remove material from the unit;

(2) To inspect or sample the material in the unit;

(3) To inspect, maintain, repair, or replace equipment located inside the unit; or

(4) To vent liquids, gases, or fumes from the unit through a closed-vent system to a control device designed and operated in accordance with the requirements of 40 CFR 63.771(c) and (d).

(Ref.: 40 CFR 63.771(b), Subpart HH)

3.B.11 For Emission Points AA-119a, AA-119b, and AA-147, the permittee shall meet the following closed-vent system requirements.

(a) The closed-vent system shall route all gases, vapors, and fumes emitted from the material in an emissions unit to a flare that meets the requirements specified in 40 CFR 63.771(d).

(b) The closed-vent system shall be designed and operated with no detectable emissions.

(Ref.: 40 CFR 63.771(c), Subpart HH)

3.B.12 For Emission Points AA-119a, AA-119b, and AA-147, to meet the control device requirements of 40 CFR 63.771(d)(1), the permittee shall install and operate a flare. The flare, Emission Point AA-140, shall be designed and operated in accordance with the requirements of 40 CFR 63.11(b). (Ref.: 40 CFR Part 63.771(d)(1)(iii), Subpart HH)

3.B.13 Emission Point AA-140 shall be operating at all times when gases, vapors, and fumes are vented from the HAP emission unit or units through the closed-vent system to the flare. (Ref.: 40 CFR Part 63.771(d)(4)(i), Subpart HH)

3.B.14 The facility is subject to and shall comply with 40 CFR 63, Subpart CCCCCC, the National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities and the applicable General Provisions in 40 CFR 63, Subpart A. (Ref.: §63.11081(a) and (b), Subpart CCCCCC)

C. Insignificant and Trivial Activity Emission Limitations & Standards

Applicable Requirement	Condition Number(s)	Pollutant/ Parameter	Limit/Standard
11 Miss. Admin. Code Pt. 2, R. 1.3.D(1)(a).	3.C.1	PM	0.6 lbs/MMBTU
11 Miss. Admin. Code Pt. 2, R. 1.4.A(1).	3.C.2	SO_2	4.8 lbs/MMBTU

3.C.1 The maximum permissible emission of ash and/or particulate matter from fossil fuel burning installations of less than 10 million BTU per hour heat input shall not exceed 0.6 pounds per million BTU per hour heat input. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.3.D(1)(a).)

3.C.2 The maximum discharge of sulfur oxides from any fuel burning installation in which the fuel is burned primarily to produce heat or power by indirect heat transfer shall not exceed 4.8 pounds (measured as sulfur dioxide) per million BTU heat input. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 1.4.A(1).)

D. Work Practice Standards

Emission Point(s)	Applicable Requirement	Condition Number(s)	Pollutant/ Parameter	Limit/Standard
AA-019a AA-019b AA-147	40 CFR 63.764(j), Subpart HH	3.D.1	O & M Procedures	Operation and maintenance procedures
Facility-wide, including AA-156	40 CFR 63.11115(a), Subpart CCCCCC	3.D.2	O & M Requirements	Good air pollution control practices
	40 CFR 63.11116, Subpart CCCCCC	3.D.3		Work practices for gasoline handling

3.D.1 For Emission Points AA-019a and AA-019b, the permittee must operate and maintain the sources, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the DEQ which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. (Ref.: 40 CFR 63.764(j), Subpart HH)

3.D.2 For Emission Point AA-156, the permittee must at all times, operate and maintain the gasoline storage tank, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the DEQ which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. (Ref.: 40 CFR 63.11115(a), Subpart CCCCCC)

3.D.3 The permittee shall comply with the following requirements for gasoline dispensing:

(a) The permittee must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

(1) Minimize gasoline spills;

(2) Clean up spills as expeditiously as practicable;

(3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;

(4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

(b) The permittee is not required to submit notifications or reports as specified in 40 CFR 63.11125, 63.11126, or subpart A of Part 63, but must have records available within 24 hours of a request by the DEQ to document gasoline throughput.

(c) Portable gasoline containers that meet the requirements of 40 CFR part 59, subpart F, are considered acceptable for compliance with paragraph (a)(3) of this section.

(Ref.: §63.11116, Subpart CCCCCC)

SECTION 4. COMPLIANCE SCHEDULE

4.1 Unless otherwise specified herein, the permittee shall be in compliance with all requirements contained herein upon issuance of this permit.

4.2 Except as otherwise specified herein, the permittee shall submit to the Permit Board and to the Administrator of EPA Region IV a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices, by January 31 for the preceding calendar year. Each compliance certification shall include the following:

(a) the identification of each term or condition of the permit that is the basis of the certification;

(b) the compliance status;

(c) whether compliance was continuous or intermittent;

(d) the method(s) used for determining the compliance status of the source, currently and over the applicable reporting period;

(e) such other facts as may be specified as pertinent in specific conditions elsewhere in this permit.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.C(5)(a), (c), & (d).)

SECTION 5. MONITORING, RECORDKEEPING & REPORTING REQUIREMENTS

A. General Monitoring, Recordkeeping and Reporting Requirements

5.A.1 The permittee shall install, maintain, and operate equipment and/or institute procedures as necessary to perform the monitoring and recordkeeping specified below. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3).)

5.A.2 In addition to the recordkeeping specified below, the permittee shall include with all records of required monitoring information the following:

(a) the date, place as defined in the permit, and time of sampling or measurements;

(b) the date(s) analyses were performed;

(c) the company or entity that performed the analyses;

(d) the analytical techniques or methods used;

(e) the results of such analyses; and

(f) the operating conditions existing at the time of sampling or measurement.

(Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(b)(1).)

5.A.3 Except where a longer duration is specified in an applicable requirement, the permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(b)(2).)

5.A.4 Except as otherwise specified herein, the permittee shall submit reports of any required monitoring by July 31 and January 31 for the preceding six-month period. All instances of deviations from permit requirements must be clearly identified in such reports and all required reports must be certified by a responsible official consistent with 11 Miss. Admin. Code Pt. 2, R. 6.2.E. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(c)(1).)

5.A.5 Except as otherwise specified herein, the permittee shall report all deviations from permit requirements, including those attributable to upsets, the probable cause of such deviations, and any corrective actions or preventive measures taken. Said report shall

be made within five (5) days of the time the deviation began. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(c)(2).)

5.A.6 Except as otherwise specified herein, the permittee shall perform emissions sampling and analysis in accordance with EPA Test Methods and with any continuous emission monitoring requirements, if applicable. All test methods shall be those versions or their equivalents approved by the DEQ and the EPA. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3).)

5.A.7 The permittee shall maintain records of any alterations, additions, or changes in equipment or operation. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3).)

B. Specific Monitoring and Recordkeeping Requirements

Emission Point(s)	Applicable Requirement	Condition Number	Pollutant/Parameter Monitored	Monitoring/Recordkeeping Requirement
AA-119a AA-119b AA-147	40 CFR 63.773(c), Subpart HH	5.B.1	Leaks/Defects	Initial and annual inspection and monitoring requirements for the cover and closed-vent system.
AA-140	40 CFR 63.773(d), Subpart HH	5.B.2	Flare Pilot Flame	Install a heat sensing monitoring device with continuous recorder.
	40 CFR 63.774(e), Subpart HH	5.B.4	Flare design and pilot flame	Recordkeeping requirements pertaining to flares under 40 CFR 63, Subpart HH
Facility-wide	40 CFR 63.774(b), Subpart HH	5.B.3	Leaks and presence of flare pilot flame	Recordkeeping requirements pertaining to affected facilities under 40 CFR 63, Subpart HH
	40 CFR 63.774(g), Subpart HH	5.B.5	Malfunctions	Records of occurrence and duration of each malfunction and corrective actions taken to minimize emissions
AA-101 and AA-149	11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(b).	5.B.6	Bypassing	Record the date, start time, duration, and amount of any off-gases bypassing VRU or the LP compressor system and VOC and HAP emissions from each bypass event.
AA-142 AA-144	11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(b).	5.B.7	Compressor Blowdowns	Record occurrence of each compressor blowdown.
Facility-wide, AA-156	§63.11111(e), Subpart CCCCCC	5.B.8	Fuel Throughput	Monitor monthly throughput
	§63.11115(b) and §63.11125(d)(1) and (2), Subpart CCCCCC	5.B.9	Malfunctions	Malfunction recordkeeping

5.B.1 For Emission Points AA-119a and AA-119b, the permittee shall comply with the following requirements for each closed-vent system and cover.

(a) Except as provided in paragraphs (d) and (e) below, each closed-vent system and cover shall be inspected according to the procedures and schedule specified below:

(1) For each closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a bolted and gasketed ducting flange), the permittee shall:

(i) Conduct an initial inspection according to the procedures specified in 40 CFR 63.772(c) to demonstrate that the closed-vent system operates with no detectable emission. Inspection results shall be submitted with the Notification of Compliance Status Report as specified in 40 CFR 63.775(d)(1) or (2).

(ii) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in piping; loose connections; or broken or missing caps or other closure devices. The permittee shall monitor a component or connection using the procedures in 40 CFR 63.772(c) to demonstrate that it operates with no detectable emissions following any time the component is repaired or the connection is unsealed. Inspection results shall be submitted in the Periodic Report as specified in 40 CFR 63.775(e)(2)(iii).

(2) For closed-vent system components other than those specified in paragraph (1) above, the permittee shall:

(i) Conduct an initial inspection according to the procedures specified in 40 CFR 63.772(c) to demonstrate that the closed-vent system operates with no detectable emissions. Inspection results shall be submitted with the Notification of Compliance Status Report as specified in 40 CFR 63.775(d)(1) or (2).

(ii) Conduct annual inspections according to the procedures specified in 40 CFR 63.772(c) to demonstrate that the components or connections operate with no detectable emissions. Inspection results shall be submitted in the Periodic Report as specified in 40 CFR 63.775(e)(2)(iii).

(iii) Conduct annual visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in piping; loose connections; or broken or missing caps or other

closure devices. Inspection results shall be submitted in the Periodic Report as specified in 40 CFR 63.775(e)(2)(iii).

(3) For each cover, the permittee shall:

(i) Conduct visual inspections for defects that could result in air emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the cover, or between the cover and the separator wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices. In the case where the storage vessel is buried partially or entirely underground, inspection is required only for those portions of the cover that extend to or above the ground surface, and those connections that are on such portions of the cover (e.g., fill ports, access hatches, gauge wells, etc.) and can be opened to the atmosphere.

(ii) The inspections specified in paragraph (3)(i) above shall be conducted initially, following the installation of the cover. Inspection results shall be submitted with the Notification of Compliance Status Report as specified in 40 CFR 63.775(d)(12). Thereafter, the permittee shall perform the inspection at least once every calendar year, except as provided in paragraphs (d) and (e) below. Annual inspection results shall be submitted in the Periodic Report as specified in 40 CFR 63.775(e)(2)(iii).

(b) In the event that a leak or defect is detected, the permittee shall repair the leak or defect as soon as practicable, except as provided in paragraph (c) below.

(1) A first attempt at repair shall be made no later than 5 calendar days after the leak is detected.

(2) Repair shall be completed no later than 15 calendar days after the leak is detected.

(c) Delay of repair of a closed-vent system or cover for which leaks or defects have been detected is allowed if the repair is technically infeasible without a shutdown, as defined in 40 CFR 63.761, or if the permittee determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment shall be complete by the end of the next shutdown.

(d) Any parts of the closed-vent system or cover that are designated, as described in paragraphs (d)(1) and (2) below, as unsafe to inspect are exempt from the inspection requirements of paragraph (a) above if:

(1) The permittee determines that the equipment is unsafe to inspect because inspecting personnel would be exposed to an imminent or potential danger as a consequence of complying with paragraph (a) above; and

(2) The permittee has a written plan that requires inspection of the equipment as frequently as practicable during safe-to-inspect times.

(e) Any parts of the closed-vent system or cover that are designated, as described in paragraphs (e)(1) and (2) below, as difficult to inspect are exempt from the inspection requirements of paragraph (a) above if:

(1) The permittee determines that the equipment cannot be inspected without elevating the inspecting personnel more than 2 meters above a support surface; and

(2) The permittee has a written plan that requires inspection of the equipment at least once every 5 years.

(f) Records shall be maintained as specified in 40 CFR 63.774(b)(5) through (8).

(Ref.: 40 CFR 63.773(c), Subpart HH)

5.B.2 For Emission Point AA-140, the permittee shall install and operate a continuous parameter monitoring system (CPMS) meeting the following requirements.

(a) The permittee shall install, calibrate, operate, and maintain a heat sensing monitoring device equipped with a continuous recorder that indicates the continuous ignition of the pilot flame.

(b) The heat sensing monitor shall measure data values at least once every hour and record each measured data value. A site-specific monitoring plan must be prepared that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in 40 CFR 63.773(d)(1)(ii)(A) through (E) and in 40 CFR 63.8(d). Each CPMS must be installed, calibrated, operated, and maintained in accordance with the procedures in your approved site-specific monitoring plan. Using the process described in 40 CFR 63.8(f)(4), the permittee may request approval of monitoring system quality assurance and quality control procedures alternative to those specified in 40 CFR 63.773(d)(1)(ii)(A) through (E) in the site-specific monitoring plan.

(c) An excursion occurs when the monitoring data are not available for at least 75 percent of the operating hours in a day.

(d) For each excursion, except as provided in paragraph (e) below, the permittee shall be deemed to have failed to have applied control in a manner that achieves the required operating parameter limits. Failure to achieve the required operating parameter limits is violation of this standard.

(e) An excursion is not a violation of the operating parameter limit as specified in (e)(1) and (e)(2) below:

(1) An excursion does not count toward the number of excused excursions allowed under paragraph (e)(2) if the excursion occurs during any one of the following periods:

(i) During a period of startup, shutdown, or malfunction when the affected facility is operated during such period in accordance with 40 CFR 63.6(e)(1); or

(ii) During periods of non-operation of the unit or the process that is vented to the control device (resulting in a cessation of HAP emissions to which the monitoring applies).

(2) For the flare, one excused excursion is allowed per semiannual period for any reason. The initial semiannual period is the 6-month reporting period addressed by the first Periodic Report submitted by the permittee in accordance with 40 CFR 63.775(e).

(f) For each excursion, the permittee shall be deemed to have failed to have applied control in a manner that achieves the required operating parameter limits. Failure to achieve the required operating parameter limits is a violation of this standard.

(Ref.: 40 CFR 63.773(d), Subpart HH)

5.B.3 For the facility, the permittee shall maintain the following records.

(a) The permittee shall maintain files of all information (including all reports and notifications) required by this subpart for at least 5 years following the date of each occurrence, measurement, maintenance, corrective action, report or period.

(1) All applicable records shall be maintained in such a manner that they can be readily accessed.

(2) The most recent 12 months of records shall be retained on site or shall be accessible from a central location by computer or other means that provides access within 2 hours after a request.

(3) The remaining 4 years of records may be retained offsite.

(4) Records may be maintained in hard copy or computer-readable form including, but not limited to, on paper, microfilm, computer, floppy disk, magnetic tape, or microfiche.

(b) Records specified in 40 CFR 63.10(b)(2).

(c) Records specified in 40 CFR 63.10(c) for the flare, Emission Point AA-140. Notwithstanding the requirements of 40 CFR 63.10(c), monitoring data recorded during periods identified in paragraphs (1)-(4) below shall not be included in any average or percent leak rate computed under this subpart. Records shall be kept of the times and durations of all such periods and any other periods during process or control device operation when monitors are not operating.

(1) Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments;

(2) Periods of non-operation resulting in cessation of the emissions to which the monitoring applies; and

(3) Excursions due to invalid data as defined in 40 CFR 63.773(d)(6)(iv).

(d) For the flare, Emission Point AA-140, the permittee shall keep up-to-date and readily accessible records of hourly records indicating continuous ignition of the pilot flame and records of pilot flame outages specified in 40 CFR 63.774(e).

(e) Records identifying all parts of the cover or closed-vent system that are designated as unsafe to inspect in accordance with 40 CFR 63.773(c)(5), an explanation of why the equipment is unsafe to inspect, and the plan for inspecting the equipment.

(f) Records identifying all parts of the cover or closed-vent system that are designated as difficult to inspect in accordance with 40 CFR 63.773(c)(6), an explanation of why the equipment is difficult to inspect, and the plan for inspecting the equipment.

(g) For each inspection conducted in accordance with 40 CFR 63.773(c), during which a leak or defect is detected, a record of the information specified in (1)-(8) below:

(1) The instrument identification numbers, operator name or initials, and identification of the equipment.

(2) The date the leak or defect was detected and the date of the first attempt to repair the leak or defect.

(3) Maximum instrument reading measured by the method specified in 40 CFR 63.772(c) after the leak or defect is successfully repaired or determined to be nonrepairable.

(4) "Repair delayed" and the reason for the delay if a leak or defect is not repaired within 15 calendar days after discovery of the leak or defect.

(5) The name, initials, or other form of identification of the permittee (or designee) whose decision it was that the repair could not be effected without a shutdown.

(6) The expected date of successful repair of the leak or defect if a leak or defect is not repaired within 15 calendar days.

(7) Dates of shutdowns that occur while the equipment is unrepaired.

(8) The date of successful repair of the leak or defect.

(h) For each inspection conducted in accordance with 40 CFR 63.773(c) during which no leaks or defects are detected, a record that the inspection was performed, the date of the inspection, and a statement that no leaks or defects were detected.

(Ref.: 40 CFR 63.774(b), Subpart HH)

5.B.4 For Emission Point AA-140, the permittee shall record the following:

(a) Flare design (i.e., steam-assisted, air-assisted, or non-assisted);

(b) All visible emission readings, heat content determinations, flowrate measurements, and exit velocity determinations made during the compliance determination required by 40 CFR 63.772(e)(2); and

(c) All hourly records and other recorded periods when the pilot flame is absent.

(Ref.: 40 CFR 63.774(e), Subpart HH)

5.B.5 For the facility, the permittee shall maintain records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control equipment and monitoring equipment. The permittee shall maintain records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.764(j), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. (Ref.: 40 CFR 63.774(g), Subpart HH)

5.B.6 For Emission Points AA-101 and AA-149, the permittee shall record the date, start time, duration, and amount of any off-gases that bypass the VRU or any gases from the VRU that bypass the LP compressor system. The permittee shall also note why gases bypassed the VRU and whether the gases were vented directly to the atmosphere or to the Incinerator (AA-149). If the gases are vented to the Incinerator, the operating temperature of the Incinerator shall be recorded at least once for each hour gases are vented to it. The permittee shall use this information to calculate the percentage deviation time that the VRU or subsequent LP compressor system was bypassed compared to the total run time for each semiannual period. Also, the permittee shall calculate the total VOC and HAP emissions from each bypass event. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(b).)

5.B.7 For Emission Points AA-142 and AA-144, the permittee shall maintain records of the occurrence of each compressor blowdown. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(b).)

5.B.8 The permittee shall demonstrate that their monthly throughput for gasoline dispensing is less than the 10,000-gallon threshold level. The permittee shall keep records to document monthly throughput. Records required under this paragraph shall be kept for a period of 5 years. (Ref.: §63.11111(e), Subpart CCCCCC)

5.B.9 For the gasoline dispensing facility and associated storage tanks, the permittee shall keep the following records:

(a) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

(b) Records of actions taken during periods of malfunction to minimize emissions in accordance with §63.11115(a), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(Ref.: §63.11115(b), §63.11125(d)(1) and (2), Subpart CCCCCC)

C. Specific Reporting Requirements

Emission Point(s)	Applicable Requirement	Condition Number	Pollutant/Parameter Monitored	Reporting Requirement
Facility-wide	40 CFR 63.775(b)(6), Subpart HH	5.C.1	Malfunctions	Malfunction and corrective action reporting required by 40 CFR Part 63, Subpart HH.
	40 CFR 63.775(e)(1) and (2), Subpart HH	5.C.2	Semiannual Reports	Semiannual periodic reports required by 40 CFR Part 63, Subpart HH.

Emission Point(s)	Applicable Requirement	Condition Number	Pollutant/Parameter Monitored	Reporting Requirement
	40 CFR 63.775(f), Subpart HH	5.C.3	Process Changes	Notification of process change, as required by 40 CFR Part 63, Subpart HH.
AA-101 AA-149	11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(c)(1).	5.C.4	Bypasses	Semiannual reporting of the date, start time, duration and amount of off-gases bypassing the VRU and LP compressor system and emissions from each event.

5.C.1 For the facility, if there was a malfunction during the reporting period, the Periodic Report specified in Condition 5.C.2 shall include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by the permittee during a malfunction of an affected source to minimize emissions in accordance with 40 CFR 63.764(j), including actions taken to correct a malfunction. (Ref.: 40 CFR 63.775(b)(6), Subpart HH)

5.C.2 The permittee shall prepare Periodic Reports in accordance with paragraphs (a) and (b) below and submit them to the DEQ.

(a) The permittee shall submit Periodic Reports semiannually beginning 60 calendar days after the end of the applicable reporting period. The first report shall be submitted no later than 240 days after the date the Notification of Compliance Status Report is due and shall cover the 6-month period beginning on the date the Notification of Compliance Status Report is due.

(b) The permittee shall include the following information in the Periodic Reports:

(1) The information required under 40 CFR 63.10(e)(3). For the purpose of this subpart and the information required under 40 CFR 63.10(e)(3), excursions (as defined in 40 CFR 63.773(d)(6)) shall be considered excess emissions.

(2) A description of all excursions as defined in 40 CFR 63.773(d)(6) that have occurred during the 6-month reporting period. For each excursion caused by the lack of monitoring data, as specified in 40 CFR 63.773(d)(6)(iv), the report must include the date and duration of the period when the monitoring data were not collected and the reason why the data were not collected.

(3) For each inspection conducted in accordance with 40 CFR 63.773(c) during which a leak or defect is detected, the records specified in 40 CFR 63.774(b)(7) must be included in the next Periodic Report.

(4) The following information shall be stated in the Periodic Report, when applicable:

(i) No excursions.

(ii) No continuous monitoring system has been inoperative, out of control, repaired, or adjusted

(5) For flares, the records specified in 40 CFR 63.774(e)(3).

(6) Certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

(Ref.: 40 CFR 63.775(e)(1) and (2), Subpart HH)

5.C.3 Whenever a process change is made, or a change in any of the information submitted in the Notification of Compliance Status Report required by 40 CFR Part 63, Subpart HH, the owner or operator shall submit a report within 180 days after the process change is made or as a part of the next Periodic Report, whichever is sooner. The report shall include:

(a) A brief description of the process changes;

(b) A description of any modification to standard procedures or quality assurance procedures;

(c) Revisions to any of the information reported in the original Notification of Compliance Status Report under 40 CFR 63.775(d); and

(d) Information required by the Notification of Compliance Status Report under 40 CFR 63.775(d) or changes involving the addition of processes or equipment.

(Ref.: 40 CFR 63.775(f), Subpart HH)

5.C.4 For Emission Points AA-101 and AA-149, the permittee shall submit semiannual reports in accordance with Condition 5.A.5 of the date, start time, duration, and amount of off-gases that bypass the VRU or gasses from the VRU that bypass the LP compressor system. The permittee shall also report the percentage of time gases are bypassed during the semiannual period and total VOC and HAP emissions from each bypass event. The report shall note whether the gases were vented to the Incinerator (AA-149) or directly to the atmosphere. If gases are vented to the Incinerator, the report shall also include the temperature of the incinerator recorded for each hour of the bypass event. If no bypasses occurred during the

semiannual period, the facility shall submit a negative declaration. (Ref.: 11 Miss. Admin. Code Pt. 2, R. 6.3.A(3)(c)(1))

SECTION 6. ALTERNATIVE OPERATING SCENARIOS

6.1 None permitted.

SECTION 7. TITLE VI REQUIREMENTS

The following are applicable or potentially applicable requirements originating from Title VI of the Clean Air Act – Stratospheric Ozone Protection. The full text of the referenced regulations may be found on-line at **http://www.ecfr.gov** under Title 40, or DEQ shall provide a copy upon request from the permittee.

7.1 If the permittee produces, transforms, destroys, imports or exports a controlled substance or imports or exports a controlled product, the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart A – Production and Consumption Controls.

7.2 If the permittee performs service on a motor vehicle for consideration when this service involves the refrigerant in the motor vehicle air conditioner (MVAC), the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart B – Servicing of Motor Vehicle Air Conditioners.

7.3 The permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart E – The Labeling of Products Using Ozone-Depleting Substances, for the following containers and products:

(a) All containers in which a class I or class II substance is stored or transported;

(b) All products containing a class I substance; and

(c) All products directly manufactured with a process that uses a class I substance, unless otherwise exempted by this subpart or, unless EPA determines for a particular product that there are no substitute products or manufacturing processes for such product that do not rely on the use of a class I substance, that reduce overall risk to human health and the environment, and that are currently or potentially available. If the EPA makes such a determination for a particular product, then the requirements of this subpart are effective for such product no later than January 1, 2015.

7.4 If the permittee performs any of the following activities, the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart F – Recycling and Emissions Reduction:

(a) Servicing, maintaining, or repairing appliances;

(b) Disposing of appliances, including small appliances and motor vehicle air conditioners; or

(c) Refrigerant reclaimers, technician certifying programs, appliance owners and operators, manufacturers of appliances, manufacturers of recycling and recovery equipment, approved recycling and recovery equipment testing organizations,

persons selling class I or class II refrigerants or offering class I or class II refrigerants for sale, and persons purchasing class I or class II refrigerants.

7.5 The permittee shall be allowed to switch from any ozone-depleting substance to any acceptable alternative that is listed in the Significant New Alternatives Policy (SNAP) program promulgated pursuant to 40 CFR Part 82, Subpart G – Significant New Alternatives Policy Program. The permittee shall also comply with any use conditions for the acceptable alternative substance.

7.6 If the permittee performs any of the following activities, the permittee shall comply with the applicable requirements of 40 CFR Part 82, Subpart H – Halon Emissions Reduction:

(a) Any person testing, servicing, maintaining, repairing, or disposing of equipment that contains halons or using such equipment during technician training;

(b) Any person disposing of halons;

(c) Manufacturers of halon blends; or

(d) Organizations that employ technicians who service halon-containing equipment.

APPENDIX A

List of Abbreviations Used In this Permit

11 Miss. Admin. Code Pt. 2, Ch. 1.	Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants
11 Miss. Admin. Code Pt. 2, Ch. 2.	Permit Regulations for the Construction and/or Operation of Air Emissions Equipment
11 Miss. Admin. Code Pt. 2, Ch. 3.	Regulations for the Prevention of Air Pollution Emergency Episodes
11 Miss. Admin. Code Pt. 2, Ch. 4.	Ambient Air Quality Standards
11 Miss. Admin. Code Pt. 2, Ch. 5.	Regulations for the Prevention of Significant Deterioration of Air Quality
11 Miss. Admin. Code Pt. 2, Ch. 6.	Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act
11 Miss. Admin. Code Pt. 2, Ch. 7.	Acid Rain Program Permit Regulations for Purposes of Title IV of the Federal Clean Air Act
BACT	Best Available Control Technology
CEM	Continuous Emission Monitor
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CO	Carbon Monoxide
COM	Continuous Opacity Monitor
COMS	Continuous Opacity Monitoring System
DEQ	Mississippi Department of Environmental Quality
EPA	United States Environmental Protection Agency
gr/dscf	Grains Per Dry Standard Cubic Foot
HP	Horsepower
HAP	Hazardous Air Pollutant
lbs/hr	Pounds per Hour
M or K	Thousand
MACT	Maximum Achievable Control Technology
MM	Million
MMBTUH	Million British Thermal Units per Hour
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emissions Standards for Hazardous Air Pollutants, 40 CFR 61 or National Emission Standards for Hazardous Air Pollutants for Source Categories, 40 CFR 63
NMVOC	Non-Methane Volatile Organic Compounds
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards, 40 CFR 60
O&M	Operation and Maintenance
PM	Particulate Matter
PM_{10}	Particulate Matter less than 10 μm in diameter
ppm	Parts per Million
PSD	Prevention of Significant Deterioration, 40 CFR 52
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
TPY	Tons per Year
TRS	Total Reduced Sulfur
VEE	Visible Emissions Evaluation
VHAP	Volatile Hazardous Air Pollutant
VOC	Volatile Organic Compound

APPENDIX B

Regulations Referenced in this Permit

11 Miss. Admin. Code Part 2, Chapter 1 – Mississippi Commission on Environmental Quality, Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants (Adopted May 8, 1970 and Last amended November 10, 2016)

11 Miss. Admin. Code Part 2, Chapter 6 – Mississippi Commission on Environmental Quality, Air Emissions Operating Permit Regulations for the Purposes of Title V of the Federal Clean Air Act (Adopted October 27, 1993, Last Amended June 28, 2012)

Title VI of the Clean Air Act – Stratospheric Ozone Protection (40 CFR Part 82)

40 CFR 63 Subpart HH – National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

40 CFR 63 Subpart A – General Provisions

40 CFR 63 Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities