

# **STATE OF MISSISSIPPI AIR POLLUTION CONTROL PERMIT**

**TO CONSTRUCT AIR EMISSIONS EQUIPMENT**

**THIS CERTIFIES THAT**

Hunt Southland Refining Company  
Highway 11 North  
Sandersville, Jones County, Mississippi

has been granted permission to construct air emissions equipment to comply with the emission limitations, monitoring requirements and other conditions set forth herein. This permit is issued in accordance with 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.

**MISSISSIPPI ENVIRONMENTAL QUALITY PERMIT BOARD**

  
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**AUTHORIZED SIGNATURE**

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY**

Issued: JUL 12 2010

Permit No.: 1360-00064

**Part I.**

**A. GENERAL CONDITIONS**

1. This permit is for air pollution control purposes only. (Ref.: APC-S-2, Section I.D)
2. Any activities not identified in the application are not authorized by this permit. (Ref.: Miss. Code Ann. 49-17-29 1.b)
3. The knowing submittal of a permit application with false information may serve as the basis for the Permit Board to void the permit issued pursuant thereto or subject the applicant to penalties for operating without a valid permit pursuant to State Law. (Ref.: APC-S-2, Section II.B.5)
4. It is the responsibility of the applicant/permittee to obtain all other approvals, permits, clearances, easements, agreements, etc., which may be required including, but not limited to, all required local government zoning approvals or permits. (Ref.: APC-S-2, Section I.D.6)
5. The issuance of a permit does not release the permittee from liability for constructing or operating air emissions equipment in violation of any applicable statute, rule, or regulation of state or federal environmental authorities. (Ref.: APC-S-2, Section II.B.7)
6. 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 the permit, unless halting or reducing activity would create an imminent and substantial endangerment threatening the public health and safety of the lives and property of the people of this state. (Ref.: APC-S-2, Section II.B.15(a))
7. The permit and/or any part thereof may be modified, revoked, reopened, and reissued, or terminated for cause. Sufficient cause for a permit to be reopened shall exist when an air emissions stationary source becomes subject to Title V. 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.: APC-S-2, Section II.B.15(b))
8. The permit does not convey any property rights of any sort, or any exclusive privilege. (Ref.: APC-S-2, Section II.B.15(c))
9. 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 permit or, for information claimed to be confidential, the permittee shall furnish such records to the DEQ along with a claim of confidentiality.

The permittee may furnish such records directly to the Administrator along with a claim of confidentiality. (Ref.: APC-S-2, Section II.B.15(d))

10. Design and Construction Requirements: The stationary source shall be designed and constructed so as to operate without causing a violation of an Applicable Rules and Regulations, without interfering with the attainment and maintenance of State and National Ambient Air Quality Standards, and such that the emission of air toxics does not result in an ambient concentration sufficient to adversely affect human health and well-being or unreasonably and adversely affect plant or animal life beyond the stationary source boundaries. (Ref.: APC-S-2, Section V.A)
11. Solids Removal: The necessary facilities shall be constructed so that solids removed in the course of control of air emissions may be disposed of in a manner such as to prevent the solids from becoming windborne and to prevent the materials from entering State waters without the proper environmental permits. (Ref.: Miss. Code Ann. 49-17-29)
12. Diversion and Bypass of Air Pollution Controls: The air pollution control facilities shall be constructed such that diversion from or bypass of collection and control facilities is not needed except as provided for in Regulation APC-S-1, "Air Emission Regulations for the Prevention, Abatement, and Control of Air Contaminants", Section 10. (Ref.: APC-S-1, Section 10)
13. Fugitive Dust Emissions from Construction Activities: The construction of the stationary source shall be performed in such a manner so as to reduce fugitive dust emissions from construction activities to a minimum. (Ref.: APC-S-2, Section V.A.4)
14. Right of Entry: The permittee shall allow the Mississippi Department of Environmental Quality Office of Pollution Control and the Mississippi Environmental Quality Permit Board and/or their representatives upon presentation of credentials:
  - a) To enter upon the permittee's premises where an air emission source is located or in which any records are required to be kept under the terms and conditions of this permit; and
  - b) At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit; to inspect any monitoring equipment or monitoring method required in this permit; and to sample any air emissions. (Ref.: Miss. Code Ann. 49-17-21)
15. Permit Modification or Revocation: After notice and opportunity for a hearing, the Permit Board may modify the permit or revoke it in whole or in part for good cause shown including, but not limited to:
  - a) Persistent violation of any of the terms or conditions of this permit;

- b) Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
- c) A change in federal, state, or local laws or regulations that require either a temporary or permanent reduction or elimination of previously authorized air emission.

(Ref.: APC-S-2, Section II.C)

16. Public Record and Confidential Information: Except for data determined to be confidential under the Mississippi Air & Water Pollution Control Law, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Mississippi Department of Environmental Quality, Office of Pollution Control. (Ref.: Miss. Code Ann. 49-17-39)
17. Permit Transfer: This permit shall not be transferred except upon approval of the Permit Board. (Ref.: APC-S-2, Section XVI.B)
18. Severability: The provisions of this permit are severable. If any provision of the permit, or the application of any provision of the 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. APC-S-2, Section I.D.7)
19. Permit Expiration: The permit to construct will expire if construction does not begin within eighteen (18) months from the date of issuance or if construction is suspended for eighteen (18) months or more. (Ref.: APC-S-2, Section V.C.1)
20. Certification of Construction: A new stationary source issued a Permit to Construct cannot begin operation until certification of construction by the permittee. (Ref.: APC-S-2, Section V.D.3)
21. Beginning Operation: Except as prohibited in Part I, Condition 24 of this permit, after certification of construction by the permittee, the Permit to Construct shall be deemed to satisfy the requirement for a permit to operate until the date the application for issuance or modification of the Title V Permit or the application for issuance or modification of the State Permit to Operate, whichever is applicable, is due. This provision is not applicable to a source excluded from the requirement for a permit to operate as provided by APC-S-2, Section XIII.G. (Ref.: APC-S-2, Section V.D.4)
22. Application for a Permit to Operate: Except as otherwise specified in Part I, Condition 24 of this permit, the application for issuance or modification of the State Permit to Operate or the Title V Permit, whichever is applicable, is due twelve (12) months after beginning operation or such earlier date or time as specified in the Permit to Construct. The Permit Board may specify an earlier date or time for submittal of the application. Beginning operation will be assumed to occur upon

certification of construction, unless the permittee specifies differently in writing. (Ref.: APC-S-2, Section V.D.5)

23. Operating Under a Permit to Construct: Except as otherwise specified in Part I, Condition 24 of this permit, upon submittal of a timely and complete application for issuance or modification of a State Permit to Operate or a Title V Permit, whichever is applicable, the applicant may continue to operate under the terms and conditions of the Permit to Construct and in compliance with the submitted application until the Permit Board issues, modifies, or denies the Permit to Operate. (Ref.: APC-S-2, Section V.D.6)
24. Application Requirements for a Permit to Operate for Moderate Modifications: For moderate modifications that require contemporaneous enforceable emissions reductions from more than one emission point in order to “net” out of PSD/NSR, the applicable Title V Permit to Operate or State Permit to Operate must be modified prior to beginning operation of the modified facilities. (Ref.: APC-S-2, Section V.D.7)
25. Compliance Testing: Regarding compliance testing:
- a) The results of any emissions sampling and analysis shall be expressed both in units consistent with the standards set forth in any Applicable Rules and Regulations or this permit and in units of mass per time.
  - b) Compliance testing will be performed at the expense of the permittee.
  - c) Each emission sampling and analysis report shall include but not be limited to the following:
    - (1) detailed description of testing procedures;
    - (2) sample calculation(s);
    - (3) results; and
    - (4) comparison of results to all Applicable Rules and Regulations and to emission limitations in the permit.
- (Ref.: APC-S-2, Section VI.B.3, 4, and 6)

**B. GENERAL NOTIFICATION REQUIREMENTS**

1. Within fifteen (15) days of beginning actual construction, the permittee must notify DEQ in writing that construction has begun. (Ref.: APC-S-2, Section V.C.2)
2. The permittee must notify DEQ in writing when construction does not begin within eighteen (18) months of issuance or if construction is suspended for eighteen (18) months or more. (Ref.: APC-S-2, Section V.C.3)
3. Upon the completion of construction or installation of an approved stationary source or modification, the applicant shall notify the Permit Board that construction or installation was performed in accordance with the approved plans and specifications on file with the Permit Board. (Ref.: APC-S-2, Section V.D.1)
4. The Permit Board shall be promptly notified in writing of any change in construction from the previously approved plans and specifications or permit. If the Permit Board determines the changes are substantial, it may require the submission of a new application to construct with “as built” plans and specifications. Notwithstanding any provision herein to the contrary, the acceptance of an “as built” application shall not constitute a waiver of the right to seek compliance penalties pursuant to State Law. (Ref.: APC-S-2, Section V.D.2)

**Part II.**  
**SPECIFIC EMISSION POINT REQUIREMENTS FOR**  
**COMBUSTION SOURCES**

Beginning upon permit issuance, the permittee shall comply with the following requirements for the emission points listed below.

<b>Emission Point</b>	<b>Facility Reference No.</b>	<b>Description</b>
AA-003	E-3	12 MMBtu/hr Natural Gas/Asphalt Oxidizer Off gas (from Emission Point AA-000) Oxidizer Heater
AA-004	E-4	7.5 MMBtu/hr Natural Gas/Distillate Fuel fired Asphalt Heater at Stills
AA-005	E-5	26 MMBtu/hr Natural Gas fired Standby Boiler
AA-006	E-7	7.5 MMBtu/hr Natural Gas/Distillate Fuel fired Asphalt Heater at 55001
AA-007	E-8	7.5 MMBtu/hr Natural Gas/Distillate Fuel fired Asphalt Heater at 55002
AA-008	E-9	7.5 MMBTU/hr Natural Gas/Distillate Fuel fired Asphalt Heater at 80001
AA-009	E-10	2.5 MMBtu/hr Natural Gas/Distillate Fuel fired Hot Oil Heater
AA-010	E-11	1 MMBtu/hr Natural Gas/Distillate Fuel fired Heater
AA-011	E-6	43 MMBtu/hr Natural Gas/Distillate Fuel fired Primary Boiler
AA-012	2H-1A	83 MMBTU/hr Natural Gas/Stabilizer Offgas (from Emission Point AA-000) #1 Crude Process Heater
AA-013	E-12	17.5 MMBtu/hr Natural Gas/Distillate Fuel fired forced draft heater (upon certification of construction)

**Fuel Restrictions**

Beginning upon permit issuance, the emission points listed above shall not burn Fuel Oil in any combustion unit except during periods of Natural Gas Curtailment by suppliers or during periods approved by EPA for purposes of test runs and operator training. During such periods, the permittee shall not burn any Fuel Oil with greater than 5.0 wt% sulfur. Fuel Oil shall mean any liquid fossil fuel with a sulfur content of greater than 0.05% by weight. At least thirty (30) days prior to conducting test runs or operator training during which Fuel Oil will be burned, the permittee shall notify EPA and the Department and provide an estimate of the amount of fuel oil to be burned.

For Emission Points AA-004, AA-006, AA-007, AA-009, AA-010, AA-011, and AA-013, the permittee shall not combust any fuel other than natural gas or distillate fuel. The distillate fuel shall not contain more than 0.05% sulfur by weight.

For Emission Point AA-005, the permittee shall not combust any fuel other than natural gas.

### **NSPS Subpart J – Petroleum Refineries**

With the exception of Emission Point AA-012, the fuel combustion sources listed above are affected facilities as defined in 40 CFR Part 60, Subpart J (*Standards of Performance for Petroleum Refineries*), and shall be subject to and comply with the requirements of New Source Performance Standards (NSPS) for Petroleum Refineries and the applicable General Provisions (40 CFR Part 60, Subparts J and A).

Because none of these fuel combustion sources is allowed to burn fuel gas that is generated from the refinery, there are no applicable requirements from NSPS Subpart J.

### **MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS**

The permittee shall record in a written or electronic log the sulfur content in ppm (by weight) and receipt date for each shipment of distillate fuel. The sulfur content shall be determined by the fuel supplier certification or a sulfur analysis per an ASTM reference method.

For all the combustion sources listed above, the permittee shall monitor and record daily the total amounts of each fuel combusted on a refinery-wide basis.



**PART III**  
**SPECIFIC EMISSION POINT REQUIREMENTS FOR**  
**WASTEWATER FUGITIVES**

Beginning upon permit issuance, the permittee shall comply with the following requirements for Emission Point AA-002, the Petroleum Refinery Wastewater System.

**NSPS Subpart QQQ – VOC Emissions from Petroleum Refinery**  
**Wastewater Systems**

The permittee is subject to and shall comply with the New Source Performance Standards (NSPS) for VOC Emissions from Petroleum Refinery Wastewater Systems and the applicable General Provisions (40 CFR Part 60, Subparts QQQ and A). These standards shall apply to the individual drain systems identified through the NSPS QQQ Audit Report performed in accordance with the Consent Decree No. CV-07-P-17777W. A list and/or diagram of the drain systems to which this subpart applies shall be maintained at the facility.

**Standards for Individual Drain Systems:**

The permittee shall comply with the standards in 40 CFR 60.692-2(a)-(c) for each applicable drain, junction box, and sewer line.

**Recordkeeping and Reporting:**

The permittee shall comply with the applicable recordkeeping requirements in 40 CFR 60.697(b), (e), and (f) and the reporting requirements in 40 CFR 60.698(b)(1), (c), and (e).

**PART III**  
**SPECIFIC EMISSION POINT REQUIREMENTS FOR**  
**THE OIL-WATER SEPARATOR**

Upon certification of construction, the permittee shall comply with the following requirements for Emission Point AA-001a, the API Oil-Water Separator.

**NSPS Subpart QQQ – VOC Emissions from Petroleum Refinery**  
**Wastewater Systems**

For Emission Point AA-001a, the permittee is subject to and shall comply with the New Source Performance Standards (NSPS) for VOC Emissions from Petroleum Refinery Wastewater Systems and the applicable General Provisions (40 CFR Part 60, Subparts QQQ and A).

**Standards for Oil-Water Separators:**

The permittee shall comply with the standards in 40 CFR 60.692-3(a).

**Recordkeeping and Reporting:**

The permittee shall comply with the applicable recordkeeping requirements in 40 CFR 60.697(c), (e), (f), and (k) and the reporting requirements in 40 CFR 60.698(b)(1), (c), and (e).

**Part IV**  
**FACILITY-WIDE REQUIREMENTS**

**A. National Emission Standards for Hazardous Air Pollutants for Source Categories**

1. As of September 28, 2007, the permittee shall accept applicability as a major source as defined in Section 112(a) of the Clean Air Act for purposes of demonstrating compliance with 40 C.F.R. Part 63, Subpart CC (*National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries*) and no later than September 28, 2010, shall comply with the requirements of 40 C.F.R. Part 63, Subpart CC (*National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries*) for each petroleum refining process unit and related emission point (as defined by 40 C.F.R. § 63.640).
2. As of September 28, 2007, the permittee shall accept applicability as a major source as defined in Section 112(a) of the Clean Air Act for the purposes of demonstrating compliance with 40 C.F.R. Part 63, Subpart LLLLL (*National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing*) and no later than September 28, 2011, shall comply with the requirements of 40 C.F.R. Part 63, Subpart LLLLL (*National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing*) for each asphalt processing and asphalt roofing manufacturing facility (as defined by 40 C.F.R. § 63.8698).

**B. Records:**

The permittee shall maintain on-site records of all required monitoring data and support information required by this permit for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. These records shall be made available for review upon request from DEQ personnel.

**C. Reporting Deviations:**

The permittee shall report any deviations from the permit requirements, including deviations attributable to upsets, within five (5) working days of such deviation. The report shall also include the cause of the deviation(s) and any corrective action(s) or preventive measure(s) taken.