June 20, 2025

Joe Ballard
President, CWC WDC, LLC
C/O Barghausen Consulting Engineers, LLC
18215 72nd Avenue South
Kent WA 98032

Subject: **Draft Synthetic Minor Operating Permit No. 7412-SM to Construct an Expansion and Operate the Expanded Gasoline Dispensing Facility at 2431 Market Street NE, Washington DC**

Dear Joe Ballard:

The Air Quality Division (AQD) of the District of Columbia Department of Energy and Environment (the Department) has prepared a Draft Synthetic Minor operating permit pursuant to Chapter 2, sections 200.2 and 200.6 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR). This permit, satisfying applicable regulations, is enclosed. Additionally, AQD has attached a Technical Support Memorandum discussing the technical and legal basis for the permit.

As the permit applicant for the equipment covered by this permit at the CWC WDC, LLC gasoline dispensing facility, located at 2431 Market Street NE, Washington DC, it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached and to ensure that any person who operates any emission unit subject to the attached permit does the same.

This draft permit will be subject to a 30-day public comment period beginning on June 20, 2025 and continuing through July 21, 2025. AQD will respond to any comments received during this public comment period before making a final decision on the permit application. If a public hearing is requested during this time, such a hearing will be scheduled according to 20 DCMR 210.

If you have questions or comments or need further information, please write to this office or contact Afewerki Birhane at (202) 573-5029 or afewerki.birhane@dc.gov. If you are submitting comments on the draft permit or a request for a public hearing, please also submit them to me at stephen.ours@dc.gov.

Sincerely,

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division

SSO:AB

District of Columbia
Air Quality Synthetic Minor Permit

CWC WDC, LLC
2431 Market Street NE
Washington DC 20018

Synthetic Minor Permit
Draft Chapter 2 Permit No. 7412-SM

ICIS-Air Facility ID: DC0000001120250609

Department of Energy and Environment
Air Quality Division

Effective Date: July 22, 2025 Expiration Date: July 21, 2030

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Chapter 2 Permit No. 7412-SM **ICIS-Air Facility ID: DC0000001120250609**

Effective Date: July 22, 2025 **Expiration Date: July 21, 2030**

Pursuant to the requirements of Chapter 2, General and Non-Attainment Permits, of Title 20 of the District of Columbia Municipal Regulation (20 DCMR), the District of Columbia Department of Energy and Environment, Air Quality Division hereafter referred to as "the District" or "the Department", hereby grants approval to construct and operate the emission units listed in Sections III and IV of this permit subject to the terms and conditions of this permit. All terms and conditions of this permit are enforceable by the District and by the U.S. Environmental Protection Agency (EPA) unless specifically designated as enforceable by the District only, as annotated by "*".

SUBJECT TO THE TERMS AND CONDITIONS OF THIS PERMIT, approval to construct (where applicable) and operate is granted to:

Permittee

CWC WDC, LLC
c/o Barghausen Consulting Engineers, LLC
18215 72nd Avenue South
Kent WA 98032

Facility Location

Costco Gasoline Station
2431 Market Street NE
Washington DC 20018

Application Signatory per 20 DCMR 200.13: Joe Ballard
President, CWC WDC, LLC

CO-PREPARED BY:

_____ _____
Afewerki Birhane Date
Environmental Engineer
Permitting Branch
Air Quality Division

CO-PREPARED AND AUTHORIZED BY:

_____ _____
Stephen S. Ours, P.E. Date
Chief, Permitting Branch
Air Quality Division

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I. General Permit Requirements

a. Compliance

1. The Permittee shall operate all equipment covered by this permit in accordance with all applicable requirements found in Title 20 of the District of Columbia Municipal Regulations (20 DCMR).

2. The Permittee shall comply with all the terms and conditions of this permit. Any non-compliance with this permit constitutes a violation of the federal Clean Air Act and/or District regulations and is grounds for enforcement action, permit revocation, permit modification or denial of permit renewal. [20 DCMR 200.15 and 20 DCMR 202.2]

3. Operation of equipment under the authority of this permit shall be considered acceptance of its terms and conditions.

4. To demonstrate compliance, the Permittee must submit an Annual Compliance Report to the Department not later than March 1 each year certifying compliance with all permit conditions. See Section I(c)(1) of this permit. [20 DCMR 500.1]

5. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate compliance or non-compliance with any term or condition of this permit. [40 CFR 51.212, 52.12, 52.30, 60.11, and 61.12]

6. In addition to any specific testing requirements specified elsewhere in this permit, the Department reserves the right to require that the Permittee perform additional emission tests using methods approved in advance by the Department. The Department will not require the Permittee to conduct tests with unreasonable frequency. [20 DCMR 502.1]

b. Permit Availability and Record Keeping:

1. A copy of this permit shall be available at the permitted facility at all times. A copy of this permit shall be provided to the Department upon request. [20 DCMR 104.2(b)]

2. Unless a longer period is specified elsewhere in this permit, the Permittee shall keep all records required to be maintained under this permit for not less than three (3) years. [20 DCMR 500.8]

c. Reporting Requirements

1. Annual Report and Compliance Certification: The Permittee shall submit an annual compliance report to the Department by March 1 of each year covering January 1

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through December 31 of the previous calendar year. These reports shall contain the following information [20 DCMR 500.1]:

A. Fuel Usage: The total amount of each type and grade of fuel burned during the reporting period shall be reported for each emission unit and for each group of emission units identified as a miscellaneous activity in this permit. Natural gas use shall be reported in cubic feet; fuel oil use shall be reported in gallons. The Permittee shall submit this information in a form approved by the Department. [20 DCMR 500.1]

B. Quality of Fuel Information:

i. For commercial fuel oil, as defined at 20 DCMR 899, the Permittee shall submit copies of all records obtained pursuant to Condition II(f)(9) of this permit during the reporting period.

ii. For all other fuel oils and diesel, unless more specific testing is specified elsewhere in this permit for a given emission unit, the Permittee shall sample and test the fuel oil burned in its fuel burning equipment and stationary internal combustion engines/generators, using the ASTM methods specified in Condition II(f)(8), at least once each calendar quarter that fuel is fired in the units or at the time of each fuel delivery, whichever is less frequent, and shall report these data with the Annual Certification Report. For each sample, the Permittee must provide [20 DCMR 502]:

1. The fuel oil grade and the ASTM method used to determine the grade;

2. The weight percent sulfur of the fuel oil;

3. The date and time the sample was taken;

4. The name, address, and telephone number of the laboratory that analyzed the sample; and

5. The type of test or test method performed.

In lieu of sampling and testing fuel oil each quarter for each of these data, the Permittee may comply with the requirements of Condition II(f)(9) of this permit for these fuels as well. If this option is chosen, the Permittee shall submit copies of all records obtained pursuant to these requirements during the reporting period.

If any of these data cannot be obtained from the fuel supplier, it is the responsibility of the Permittee to sample the fuel and have it analyzed to

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obtain the required data.

C. Visible Emissions Test Data: All EPA Reference Method 9 (40 CFR 60, Appendix A) visible emissions (opacity) observation results as well as the results of any non-Method 9 monitoring identifying visible emissions, per the unit-specific requirements of this permit. The Method 9 test data shall include the following:

i. The date and time of each test;

ii. The name, address, and telephone number of the tester;

iii. Proof of the certification of the tester pursuant to Reference Method 9;

iv. Identification of the emission unit(s) being observed during the test;

v. The operation rate of the unit being tested, as applicable, as follows: *Note that if any of these data are estimated, a description of the estimation technique must also be included.*

1. The boiler load expressed in pounds of steam per hour (where possible) and the percent of rated capacity at which the boiler was operated during the test; or

2. The percent of rated capacity at which the engine or other equipment was operated during the test;

vi. The amount and type of fuel fired during the test; and

vii. Data from a minimum of 30 minutes of visible emissions observations or as otherwise specified in the test conditions in this permit.

Unless otherwise specified in this permit, the Permittee shall fire the fuel expected to have the greatest likelihood to result in visible emissions among the fuels permitted to be used in the unit, unless that fuel has not and will not be used during the reporting period. If the only use of a given fuel in the reporting period is for purposes of periodic testing or combustion adjustment required by this permit, no visible emission test for that fuel will be required under this condition. [20 DCMR 502]

D. Boiler and Other Fuel Burning Equipment Adjustment Data: For all boiler and other fuel burning equipment tune-ups required pursuant to the conditions of this permit, the Annual Report and Compliance Certification shall include sufficient data to substantiate that each subject boiler and other fuel burning equipment has

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been tuned up in accordance with 20 DCMR 805 and any other related requirements specified in this permit. [20 DCMR 500.1]

E. The results of any other required monitoring referencing this section; and

F. A description of any deviation from permit requirements during the period covered by the report.

2. Annual Emission Report: By March 1 of each year, the Permittee shall submit a report of the emissions from the facility during the previous calendar year. This report shall be submitted electronically through the Combined Air Emissions Reporting System (CAERS), unless otherwise specified by the Department. Reports due under this condition need only cover the portion of the reporting period during which this permit is in effect where the permit is not in effect for the full reporting period. The emissions shall be reported on a per emission unit basis (though miscellaneous/ insignificant sources and area sources may be grouped in a reasonable manner). If multiple fuels are used in fuel-burning equipment, the emissions shall also be reported on a per fuel basis for each emission unit. In addition, a summary table shall be provided showing total emissions from all units at the site. This emissions supplement shall include [20 DCMR 500.1]:

   A. Emissions of the following pollutants on a per fuel, per emission unit, and sum total basis as described above:

      i. Oxides of nitrogen (NO_x);

      ii. Sulfur dioxide (SO2);

      iii. Carbon monoxide (CO);

      iv. Volatile organic compounds (VOCs);

      v. Lead (Pb) and lead compounds, as defined in 40 CFR 50.12;

      vi. Ammonia (NH_3);

      vii. Particulate matter in each of the following categories:

         1. Total filterable particulate matter (also known as total suspended particulate matter or TSP); *Note that if CAERS does not allow for reporting of this pollutant at the time that submittal is due, this particulate matter fraction may be excluded.*

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2. Filterable particulate matter less than 10 microns in aerodynamic diameter (PM10-FIL);

3. Filterable particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5-FIL); and

4. Condensable particulate matter (PM-CON); or

5. If the breakdown of particulate matter fractions is not available as specified in Condition I(d)(2)(C)(i)(2) through (4), as an alternative, the Permittee shall submit both total particulate matter less than 10 microns in aerodynamic diameter (PM10-PRI) and total particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5-PRI); and

viii. All hazardous air pollutants (HAPs) as defined in §112(b) of the Clean Air Act, as revised.

Note that, in most cases, CAERS calculates these emissions values from emission factors that the Permittee must submit as well as other data such as fuel usage or material throughput, as applicable to specific equipment.

B. The emissions reported shall be based on the best reasonably available method for estimating emissions. In general, the following list is the hierarchy of most accurate to least accurate methods for developing emissions data and emissions factors:

i. Continuous emission monitoring data,

ii. Emissions data calculated based on emissions test data used with process operational/formulation data,

iii. Emissions data calculated based on manufacturer's specifications used with process operational/formulation data, and finally,

iv. AP-42 or other general emission factors used with process operational/formulation data.

If questions arise as to the most accurate emissions estimation method, the Permittee is encouraged to consult the Department.

C. The Permittee shall include comments with the emissions report sufficient to identify, with specificity, the source of any emissions factors used.

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D. In addition to the information required pursuant to Conditions I(c)(2)(A) through (C), the Permittee shall submit any additional information the Department may request in order to collect necessary information to comply with the requirements of 40 CFR 51.

3. Notifications and Supplemental Reports: The Permittee shall submit the following notifications and supplemental reports. Notifications or reports of a deviation from a permit condition submitted pursuant to paragraphs A, B, or C below shall contain the following information: the date of the deviation, the time of the deviation, the emission unit involved, the duration and cause of the deviation, and what actions the Permittee took to correct or prevent the deviation. [20 DCMR 500.1]

   A. Threat to Public Health, Safety, and the Environment: The Permittee shall immediately report any permit deviation that poses an imminent and substantial danger to public health, safety, or the environment. [20 DCMR 500.1] This shall be reported to the following (in order):

      i. Dial 911. DC Fire and Emergency Medical Services (FEMS) is the District's first response agency for hazardous materials releases;

      ii. Call the National Response Center at (800) 424-8802;

      iii. Contact the District's Homeland Security and Emergency Management Agency at (202) 727-6161.

      For more information on reporting emergencies, see the DOEE Environmental Emergency Management Program website at: https://doee.dc.gov/service/environmental-emergency-management-program-eemp

   B. Synthetic Minor Emission Limit Exceedance: The Permittee shall, within two working days of discovery, submit to the Air Quality Division a report of any exceedance of any emission limit, or surrogate for an associated emission limit, taken pursuant to 20 DCMR 200.6 or 200.7 to avoid applicability of otherwise applicable regulations. Any such report shall be submitted to air.quality@dc.gov.

      Exceedance of the following condition is subject to reporting under this requirement:

      i. Condition III(b)(9.

   C. Malfunction or Periodic Maintenance of Air Pollution Control Equipment: Whenever it is necessary to shut down air pollution control equipment due to malfunction or for periodic maintenance, the Permittee shall report the planned

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shutdown to the Department within one (1) business day of a shutdown due to malfunction, or at least forty-eight (48) hours prior to a shutdown for maintenance. [20 DCMR 102.2] The prior notice shall include, but not be limited to, the following [20 DCMR 102.3]:

i. Identification of the specific facility whose pollution control equipment is to be taken out of service, as well as its location and permit number;

ii. The expected length of time that the air pollution control equipment will be out of service;

iii. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;

iv. Measures that will be taken to minimize the length of shutdown period; and

v. The reasons that it would be impossible or impractical to shut down the source operation during the maintenance or repair period.

The Department may, by written notice to the Permittee, permit the continued operation of the source for the time period proposed, or for the lesser time as the Department finds reasonable, provided that the conditions of 20 DCMR 102.4(a) through (d) are met. Alternatively, if the Department does not permit the continued operation of the source pursuant to 20 DCMR 102.4, it may order the Permittee to discontinue operation of the stationary source until the maintenance is completed, or the malfunctioning equipment is repaired. [20 DCMR 102.4 and 20 DCMR 102.5]

4. Nothing in this permit shall relieve the Permittee from any reporting requirements under federal or District of Columbia regulations.

5. The Permittee may request confidential treatment of information submitted in any report required by this permit pursuant to the limitations and procedures in 20 DCMR 101.

6. Annual Reports and Compliance Certifications, notifications, supplemental reports, and other documentation required by this permit shall be sent in electronic form to air.quality@dc.gov, unless otherwise specified. [20 DCMR 500.1]

d. Certification Requirements

Except where expressly specified elsewhere in this permit, any document, including all application forms, reports, and compliance certifications submitted to the Department pursuant to this permit shall contain a signed certification by a person authorized by the

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Permittee to certify such documents and to legally bind the Permittee, and in a position to be aware of the truthfulness and accuracy of the certified document, with the following language [20 DCMR 104.2(b)]:

> "I hereby certify, under penalty of D.C. Official Code § 8-101.05e, that I am authorized to submit this document on behalf of the Permittee and that the statements contained herein are true, complete, and current, to best of my knowledge."

e. Construction, Installation, or Alteration

1. The Permittee shall not initiate construction, installation, or modification of any equipment or facility which emits or controls air pollutants prior to obtaining a construction permit from the Department in accordance with 20 DCMR 200.

2. Any article, machine, equipment, device, or other contrivance that conceals an emission from any source shall not be installed or used. [20 DCMR 102.7]

f. Permit Renewal, Expiration, Reopening, Revision, and Revocation

1. This permit expires on [TBD – 5 years after permit issuance], 2030 [20 DCMR 200.4], but may be renewed before it expires pursuant to 20 DCMR 200.5.

   A. If the Permittee wishes to continue construction or operation of the equipment covered by this permit after the expiration date of this permit, the Permittee shall file a complete application for renewal of this permit at least six (6) months before the date of permit expiration.

   B. The Permittee's right to operate ceases on the expiration date unless the Department extends the permit at the request of the Permittee in accordance with 20 DCMR 200.3.

2. The Department may amend, suspend, revoke or deny renewal of this permit for the reasons specified in 20 DCMR 202, in accordance with the procedures also specified therein.

3. The Permittee may at any time apply for termination of all or a portion of this permit relating solely to operations, activities, and emissions that have been permanently discontinued at the permitted stationary source. An application for termination shall identify with specificity the permit or permit terms that relate to the discontinued operations, activities, and emissions. In terminating all or portions of this permit pursuant to this condition, the Department may make appropriate orders for the submission of a final report or other information from the Permittee to verify the

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complete discontinuation of the relevant operations, activities, and emissions. [20 DCMR 202.4 and 20 DCMR 500.1]

g. Permit and Application Consultation

The Permittee is encouraged to consult with Department personnel at any time concerning the construction, operation, modification or expansion of any facility or equipment; the operation of required pollution control devices or systems; the efficiency of air pollution control devices or systems; applicable requirements; or any other air pollution problem associated with the installation.

h. Entry and Inspection

1. Upon the presentation of appropriate credentials to the owner, agent in charge, or tenant, the Department shall have the right, subject to 20 DCMR 104.3, to enter a premise or inspect an activity reasonably believed to be subject to the air quality regulations, including those activities covered by this permit, to determine compliance with the requirements of the air quality regulations. The right of entry shall be for the following purposes [20 DCMR 104.1]:

   A. Inspection, including the right to inspect and copy records related to compliance with the air quality regulations;

   B. Observation;

   C. Measurement;

   D. Sampling;

   E. Testing; and

   F. Evidence Collection

2. The Department may [20 DCMR 104.2]:

   A. Investigate and take testimony under oath regarding any report of noncompliance with a federal or District law or regulation applicable to air pollution control; and

   B. In addition to the requirements of Chapter 5 of Title 20 DCMR, require a person or entity subject to the air quality regulations, or who the Department reasonably believes may have information necessary to carry out the purposes of the air quality regulations, on a one-time, periodic, or continuous basis to:

      i. Establish, maintain, and submit records and reports;

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ii. Install, use, and maintain monitoring equipment, and use audit procedures or methods;

iii. Take samples in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Department shall prescribe;

iv. Keep records on control equipment parameters, production variables, or other indirect data as appropriate;

v. Submit compliance certifications; and

vi. Provide other information as the Department may require.

II. Facility-Wide Permit Requirements

The Permittee shall comply with the following facility-wide permit requirements wherever applicable to the facility:

a. General Maintenance and Operations

Owners and operators of stationary sources and regulated nonroad engines shall [20 DCMR 606.4]:

1. Maintain and operate the equipment, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions, including during startup, shutdown, and malfunction;

2. Maintain the equipment in accordance with one of the following:

   A. The manufacturer's emission-related written instructions; or

   B. Unless preempted by specific federal regulations, an alternate written maintenance plan approved in writing by the Department; and

3. Ensure that persons participating in the maintenance and operation of equipment are adequately trained and supervised to meet the requirements of Conditions II(a)(1) and (2).

b. Visible Emissions

1. Except as otherwise provided in Conditions II(b)(3) and (5), visible emissions from stationary sources and nonroad engines shall not [20DCMR 606.1]:

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A. For stationary sources:

i. Exceed a five percent (5%) variability factor, above or below zero percent (0%), from stationary equipment placed in initial operation on or after January 1, 1977, with an installed Continuous Opacity Monitoring System (COMS);

ii. Be emitted into the outdoor atmosphere from any stationary equipment placed in initial operation on or after January 1, 1977, without an installed COMS; and

iii. At any time exhibit opacity more than ten percent (10%) (unaveraged) from any stationary equipment placed in initial operation before January 1, 1977;

B. For nonroad compression ignition engines Tier 1 and greater, exceed the opacity standards outlined in 40 C.F.R. § 1039.105; and

C. For locomotive engines, exceed the opacity standards outlined in § 40 CFR 1033.101 (c) for the specific engine tier.

2. Discharges shall be permitted for two (2) minutes during any startup, cleaning, adjustment of combustion or operational controls, or regeneration of emission control equipment; provided, that such discharges shall not exceed the following opacities (unaveraged) for each of the following stationary sources [20 DCMR 606.2]:

A. Fuel-burning equipment:

i. When burning exclusively natural gas, twenty percent (20%);

ii. When burning fuel oil or a combination of fuel oil and natural gas, twenty-seven percent (27%); and

iii. In all other cases, including when burning coal, twenty-seven percent (27%);

B. Combustion turbines, twenty percent (20%);

C. Asphaltic concrete production equipment, twenty percent (20%);

D. Stationary engines, twenty-seven percent (27%);

E. Cooking equipment, twenty percent (20%); and

F. All sources not specified, twenty-seven percent (27%).

3. As an exception to Condition II(b)(1)(A)(ii), the Permittee may produce visible

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emissions not to exceed ten percent (10%) opacity if the Permittee demonstrates that the source meets the criteria specified in 20 DCMR 606.3 and has had the alternative limit approved in this permit or another permit issued pursuant to 20 DCMR Chapter 2 and, when applicable 20 DCMR Chapter 3. [20 DCMR 606.3]

4. Owners and operators of stationary sources and nonroad engines regulated under 20 DCMR 606.5 shall [20 DCMR 606.5]:

   A. Maintain signed or electronically verified logs of the date, time, and duration of any equipment manual startup, manual shutdown, cleaning, combustion control adjustment, emission control regeneration, and malfunction;

   B. For any malfunction, investigate the cause of the malfunction and maintain records of the investigatory activities and conclusions of such investigation;

   C. Maintain signed or electronically verified logs of the date and description of any maintenance performed on any installed COMS; and

   D. Retain all records required pursuant to Conditions II(b)(4)(A) through (C) in accordance with Condition I(b)(2), unless a longer retention period is required pursuant to another applicable regulation.

5. Condition II(b)(1) through (4) shall not apply to visible emissions [20 DCMR 606.6]:

   A. When the presence of uncombined water is the only reason for failure of a visible emission to meet the requirement;

   B. From interior fireplaces;

   C. When steam is used to blow oil from a burner as the last phase of shutting down the burner; and

   D. From nonroad engines not subject to 40 C.F.R. § 1039.105 or 40 C.F.R. § 40 CFR 1033.101 (c).

c. <u>Control of Fugitive Dust</u>

The Permittee shall ensure that fugitive dust from the facility is controlled in accordance with 20 DCMR 605 as follows:

1. Reasonable precautions shall be taken to minimize the emission of any fugitive dust into the outdoor atmosphere. The reasonable precautions shall include, but not be limited to, the following:

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A. In the case of unpaved roads, unpaved roadways, and unpaved parking lots;

   i. Use of binders, chemicals, or water in sufficient quantities and at sufficient frequencies to prevent the visible emission of dust due to the movement of vehicles or of the wind; and

   ii. Prompt clean-up of any dirt, earth, or other material from the vicinity of the road, roadway, or lot which has been transported from the road, roadway, or lot due to anthropogenic activity or due to natural forces.

B. In the case of paved roads, paved roadways, and paved parking lots: Maintenance of the road, roadway, lot, or paved shoulder in a reasonably clean condition through reasonably frequent use of water, sweepers, brooms, or other means, through reasonably frequent removal of accumulated dirt from curb-side gutters, through reasonably prompt repair of pavement, or through any other means;

C. In the case of vehicles transporting dusty material or material which is likely to become dusty:

   i. Fully covering the material in question, with a tarpaulin or other material; and

   ii. Operation, maintenance, and loading of the vehicle, distribution of the loaded material on or in the vehicle, and limiting the quantity of material loaded on or in the vehicle, so that there will be no spillage of the material onto the roads;

D. In the case of vehicles which accumulate dirt on the wheels, undercarriages, and other parts of the vehicle, due to the movement of the vehicle on dusty, dirty or muddy surfaces: Water washing of all of the dirty parts of the vehicle to thoroughly remove the dirt before or immediately after the vehicle leaves the dusty, dirty, or muddy surface;

E. In the case of the demolition of buildings or structures: Use, to the extent possible, of water;

F. In the case of removal of demolition debris which is dusty or likely to become dusty: Use of water to thoroughly wet the material before moving or removing the material and keeping it wet or otherwise in a dust-free condition until eventual disposal;

G. In the case of loading and unloading of dusty material and in the case where dry sand-blasting or dry abrasive cleaning is necessary: Use of enclosed areas or hoods, vents, and fabric filters. If it is shown to the satisfaction of the Department that use of enclosed areas, hoods, vents, and fabric filters is not possible, alternate

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control techniques acceptable to the Department and designed to minimize the emissions to the extent possible shall be utilized; and

H. In the case of stockpiles of dusty material: Use, where possible, of closed silos, closed bins or other enclosures which are adequately vented to fabric filters. Where the use of closed silos, closed bins, or other enclosures is not possible, thorough wetting of the material before loading onto the stockpile and keeping the stockpile wetted, covered, or otherwise in a non-dusty condition.

2. The emission of fugitive dust from the following is prohibited:

   A. Any material handling, screening, crushing, grinding, conveying, mixing, or other industrial-type operation or process;

   B. Heater-planers in repairing asphaltic concrete pavements;

   C. Portable tar-melters, unless close-fitting lids, in good repair, for the tar-pots are available and are used;

   D. The ventilation of any tunneling operation; or

   E. The cleaning of exposed surfaces through the use of compressed gases.

3. All persons shall comply with the provisions of this Condition and those of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23).

4. In those circumstances where it is not possible to comply with specific provisions of both this Condition and the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), the provisions of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), shall prevail.

d. Open Fires

Open fires shall be prohibited at the Permittee's facility, except as otherwise provided for in 20 DCMR 604.2. [20 DCMR 604]

e. Asbestos

The Permittee shall adhere to the requirements of 20 DCMR 800* and 40 CFR 61, Subpart M, pertaining to handling of asbestos-containing materials.

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f. Fuel Oil Sulfur Content

Except where a more stringent requirement exists elsewhere in this permit, the Permittee shall comply with the following requirements governing the sulfur content of fuel oils: [20 DCMR 801]

1. The purchase, sale, offer for sale, storage, transport, or use of fuel oil that contains more than one percent (1%) sulfur by weight in the District is prohibited, if the fuel oil is to be burned in the District.

2. On and after July 1, 2016, commercial fuel oil that is purchased, sold, offered, stored, transported, or used in the District shall meet the following requirements, unless otherwise specified in Condition II(f)(5):

   A. Number two (No. 2) commercial fuel oil shall not contain sulfur in excess of five hundred parts per million (500 ppm) by weight, or five one-hundredths percent (0.05%) by weight;

   B. Number four (No. 4) commercial fuel oil shall not contain sulfur in excess of two thousand five hundred parts per million (2,500 ppm) by weight, or twenty-five one-hundredths percent (0.25%) by weight; and

   C. Number five (No. 5) and heavier fuel oils are prohibited.

3. On and after July 1, 2018, the purchase, sale, offer for sale, storage, transport, or use of number two (No. 2) commercial fuel oil is prohibited if it contains more than fifteen parts per million (15 ppm) or fifteen ten-thousandths percent (0.0015%) by weight of sulfur, unless otherwise specified in Condition II(f)(5).

4. Fuel oil that was stored in the District by the ultimate consumer prior to the applicable compliance date in Condition II(f)(2) or (3), which met the applicable maximum sulfur content at the time it was stored, may be used in the District after the applicable compliance date.

5. When EPA temporarily suspends or increases the applicable limit or percentage by weight of sulfur content of fuel required or regulated by EPA by granting a waiver in accordance with Clean Air Act § 211(c)(4)(C) provisions, the federal waiver shall apply to corresponding limits for fuel oil in the District as set forth in Condition II(f)(2) or (3).

6. If a temporary increase in the applicable limit of sulfur content is granted under Condition II(f)(5):

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A. The suspension or increase in the applicable limit will be granted for the duration determined by EPA; and

B. The sulfur content for number two (No. 2) and lighter fuel oils may not exceed five hundred parts per million (500 ppm) by weight.

7. Unless precluded by the Clean Air Act or the regulations thereunder, Conditions II(f)(2) and (3) shall not apply to:

   A. A person who uses equipment or a process to reduce the sulfur emissions from the burning of a fuel oil, provided that the emissions may not exceed those that would result from the use of commercial fuel oil that meets the applicable limit or percentage by weight specified in Condition II(f)(2) or (3);

   B. The Permittee of a stationary source where equipment or a process is used to reduce the sulfur emissions from the burning of a fuel oil, provided that the emissions may not exceed those that would result from the use of commercial fuel oil that meets the applicable limit or percentage by weight specified in Condition II(f)(2) or (3); and

   C. Commercial fuel oil that is transported through the District but is not intended for purchase, sale, offering, storage, or use in the District.

8. For the purpose of determining compliance with the requirements of this section, the sulfur content of fuel oil shall be determined in accordance with the sample collection, test methods, and procedures specified under 20 DCMR 502.6 (relating to sulfur in fuel oil) as follows:

   A. Testing of fuel oil shall be undertaken in accordance with the most current version of the following methods, as appropriate for the application:

      i. To obtain fuel samples:

         1. ASTM D 270, “Standard Method of Sampling Petroleum and Petroleum Products”;

         2. ASTM D 4057, “Practice for Manual Sampling of Petroleum and Petroleum Products”; or

         3. ASTM D 4177, “Standard Practice for Automatic Sampling of Petroleum and Petroleum Products”;

      ii. To determine the fuel oil grade:

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1. ASTM D 396, "Standard Specification for Fuel Oils"; or

2. ASTM D 975, "Standard Specification for Diesel Fuel Oils";

iii. To determine the sulfur concentration of fuels:

1. ASTM D 129, "Standard Test Method for Sulfur in Petroleum Products (General Bomb Method)";

2. ASTM D 1266, "Standard Test Method for Sulfur in Petroleum Products (Lamp Method)";

3. ASTM D 1552, "Standard Test Method for Sulfur in Petroleum Products (High-Temperature Method)";

4. ASTM D 2622, "Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry";

5. ASTM D 4294, "Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry;" or

6. ASTM D 5453, "Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Spark Ignition Engine Fuel, Diesel Engine Fuel, and Engine Oil by Ultraviolet Fluorescence;" and

iv. Other methods developed or approved by the Department or EPA.

9. The following recordkeeping and reporting requirements shall apply to any purchase, sale, offering for sale, storage, transportation, or use of commercial fuel oil in the District:

A. On or after the applicable compliance dates specified in Conditions II(f)(2) and (3), at the time of delivery, the transferor of commercial fuel oil shall provide to the transferee an electronic or paper record of the fuel data described as follows, which must legibly and conspicuously contain the following information:

i. The date of delivery;

ii. The name, address, and telephone number of the transferor;

iii. The name and address of the transferee;

iv. The volume of fuel oil being sold or transferred;

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v. The fuel oil grade; and

vi. The sulfur content of the fuel oil as determined using the sampling and testing methods specified in Condition II(f)(8), which may be expressed as the maximum allowable sulfur content.

B. All applicable records required under Condition II(f)(9)(A) shall be maintained in electronic or paper format for not less than three (3) years [20 DCMR 801.9(b)];

C. An electronic or paper copy of the applicable records required under Condition II(f)(9)(A) shall be provided to the Department upon request;

D. The ultimate consumer shall maintain the applicable records required under Condition II(f)(9)(A) in electronic or paper format for not less than three (3) years, unless the transfer or use of the fuel oil occurs at a private residence [20 DCMR 801.9(d);

E. A product transfer document that meets federal requirements, such as a Bill of Lading, may be used for the data in Condition II(f)(9)(A)(i) through (vi) and shall be considered a certification that the information is accurate; and

F. The Department may opt to require supplemental sampling and testing of the fuel oil to confirm the certifications.

g. Onroad Engine Idling and Nonroad Diesel Engine Idling*

1. The Permittee shall ensure that the provisions of 20 DCMR 900.1 pertaining to onroad engine idling are met at the facility. Specifically, the Permittee shall ensure that no engine of a gasoline or diesel powered motor vehicle, the engine of a public vehicle for hire, including buses with a seating capacity of twelve (12) or more persons, shall idle for more than three (3) minutes while the motor vehicle is parked, stopped, or standing, on the premises or on roadways adjacent to the premises for the purpose of serving the premises, including for the purpose of operating air conditioning equipment in those vehicles, except as follows:

A. To operate private passenger vehicles;

B. To operate power takeoff equipment including: dumping, cement mixers, refrigeration systems, content delivery, winches, or shredders;

C. To idle the engine for five (5) minutes to operate heating equipment when the ambient air temperature is thirty two degrees Fahrenheit (32 ºF) or below; or

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D. To operate warming buses during a Cold Emergency Alert in accordance with 20 DCMR 900.1(d).

2. No person owning, operating, leasing, or having control over a nonroad diesel engine, or the holder of the permit for the activity for which the nonroad diesel engine is being operated, shall cause or allow the idling of a nonroad diesel engine under its control or on its property for more than three (3) consecutive minutes. [20 DCMR 900.2]

3. Condition II(g)(2) does not apply to locomotives, generator sets, marine vessels, recreational vehicles, farming equipment, military equipment when it is being used during training exercises, emergency or public safety situations, or any private use of a nonroad diesel engine that is not for compensation. [20 DCMR 900.3]

4. The idling limit in Condition II(g)(2) does not apply to [20 DCMR 900.4]:

   A. Idling necessary to ensure the safe operation of the equipment and safety of the operator, such as conditions specified by the equipment manufacturer in the manual or an appropriate technical document accompanying the nonroad diesel engine;

   B. Idling for testing, servicing, repairing, diagnostic purposes, or to verify that the equipment is in good working order, including regeneration of a diesel particulate filter, in accordance with the equipment manufacturer manual or other technical document accompanying the nonroad diesel engine;

   C. Idling for less than fifteen (15) minutes when queuing (*i.e.*, when nonroad diesel equipment, situated in a queue of other vehicles, must intermittently move forward to perform work or a service), not including the time an operator may wait motionless in line in anticipation of the start of a workday or opening of a location where work or a service will be performed.

   D. Idling by any nonroad diesel engine being used in an emergency or public safety capacity;

   E. Idling for a state or federal inspection to verify that all equipment is in good working order, if idling is required as part of the inspection; and

   F. Idling for up to five (5) consecutive minutes to operate heating equipment when the ambient air temperature is thirty-two degrees Fahrenheit (32ºF) or below.

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h. Fleet Maintenance

The Permittee shall ensure that the engines, power, and exhaust mechanisms of each vehicle of its motor fleet is equipped, adjusted, maintained, and operated so as to prevent the escape of a trail of visible fumes or smoke for more than ten (10) consecutive seconds. [20 DCMR 901]*

i. Lead in Gasoline

The Permittee shall ensure that all gasoline sold at the facility, if any, contains no more than one gram of lead per gallon. [20 DCMR 902]*

j. Odors and Nuisance Air Pollutants [20 DCMR 903]*

1. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life and property is prohibited. [20 DCMR 903.1]*

2. Any stationary source that falls within the following categories regulated by the District of Columbia Air Pollution Control Act of 1984 (the "Act"), effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.05) shall submit an Odor Control Plan (OCP) [20 DCMR 903.2]*:

   A. Cultivation and dispensing of medical marijuana, as described in Section 7 of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06), and any other marijuana cultivation, processing, or dispensing operation licensed under District law;

   B. Painting operations subject to the requirements of 20 DCMR Sections 718 and 1409;

   C. Trash transfer stations;

   D. Asphalt processing plants;

   E. Wastewater treatment facilities and systems; and

   F. Commercial solid fuel-fired cooking operations.

3. The Department may, through the issuance of an administrative order, require an owner or operator of a stationary source of odorous air pollutants, not required to

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operate under an OCP by Condition II(j)(2), to submit an OCP to the Department as specified in 20 DCMR 903.3.*

4. An owner or operator of a stationary source, subject to a requirement to submit an OCP, shall submit an OCP meeting the requirements of Condition II(j)(5) by the deadlines specified in 20 DCMR 903.4(a) unless otherwise specified by the Department pursuant to 20 DCMR 903.4(b).*

5. An OCP shall contain requirements sufficient to control nuisance odors and shall include, to the extent applicable, the information specified in 20 DCMR 903.5.*

6. The Department shall review the OCP and determine whether it meets the requirements of Condition II(j)(5) [20 DCMR 903.6]*:

   A. If the Department determines that the OCP meets the requirements of Condition II(j)(5), it shall approve the OCP and notify the source's owner or operator of the approval; or

   B. If the Department determines that the OCP does not meet the requirements of Condition II(j)(5), it shall disapprove the OCP and notify the source owner or operator in accordance with 20 DCMR 903.7.

7. If the Department notifies a source's owner or operator that it has approved the OCP for that source, the owner or operator shall [20 DCMR 903.8]*:

   A. Implement its OCP per the timeline it has provided under Condition II(j)(5) and 20 DCMR 903.5(d); and

   B. Comply with the OCP, including any approved amendments, until the source has been decommissioned or otherwise ceases operations.

8. When a modification is made to a source, or to a process at the source, that has the potential to affect the nature or degree of odor or the control of odor, the owner or operator of the source must submit an update to its OCP within thirty (30) days of the modification. If the modification is subject to the requirements of 20 DCMR 200, the owner shall submit an updated OCP as part of the source's permit application pursuant to that section. [20 DCMR 903.9]*

9. Any owner or operator of a source that seeks a variance from the requirements of this section shall comply with the procedures under 20 DCMR 103. [20 DCMR 903.10]*

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10. The owner or operator shall provide all records maintained pursuant to 20 DCMR 903.5(c)(1)(C), as referenced in Condition II(j)(5), to the Department upon request. [20 DCMR 903.11]*

11. The owner or operator shall report all deviations from the OCP to the Department within three (3) business days of the deviation. [20 DCMR 903.12]*

12. Compliance with Condition II(j) shall be determined as follows [20 DCMR 903.13]*:

    A. Compliance with the OCP shall be an affirmative defense to violations of Condition II(j)(1) for which the owner or operator shall bear the burden of proof. However, in the event that the Department determines the OCP is inadequate to prevent violations of Condition II(j)(1), the Department may require the owner or operator to modify the OCP in accordance with the procedures under 20 DCMR 903.7.

    B. Violation of standards set forth in Condition II(j) that occur as a result of unavoidable malfunction, despite the conscientious employment of control practices, shall be an affirmative defense for which the owner or operator shall bear the burden of proof. A malfunction shall not be considered unavoidable if the owner or operator could have taken, but did not take, appropriate steps to eliminate the malfunction within a reasonable time, as determined by the Department.

k. Risk Management

1. The Permittee shall ensure that the requirements of 40 CFR part 68, as in effect on September 30, 1997, are complied with at the site for the purposes of preventing, detecting, and responding to accidental chemical releases to the air, pursuant to the requirements of Section 112(r) of the Federal Clean Air Act with the terms used and defined in those provisions. [20 DCMR 402]*

2. Should this stationary source, as defined in 40 CFR part 68.3, become subject to part 68, then the Permittee shall submit a risk management plan (RMP) by the date specified in Part 68.10 and shall certify compliance with the requirements of part 68 as part of the annual compliance certification required by 40 CFR part 70 or 71. [20 DCMR 302.1(d)]

l. Architectural and Industrial Maintenance Coatings

1. Paints and refinishing coatings that contain VOCs in excess of the limits specified in the table below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 773.1, 774.1, and 774.10]

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VOC Content Limits for Architectural Coatings.[1]

Coating Category	**VOC Content Limit (Grams VOC per liter)[2]**
Flat Coatings	100
Non-flat Coatings	150
Non-flat- High Gloss Coatings	250
Specialty Coatings	
Antenna Coatings	530
Antifouling Coatings	400
Bituminous Roof Coatings	300
Bituminous Roof Primers	350
Bond Breakers	350
Calcimine Recoater	475
Clear Wood Coatings	
●Clear Brushing Lacquers	680
●Lacquers (including lacquer sanding sealers)	550
●Sanding Sealers (other than lacquer sanding sealers)	350
●Varnishes	350
Concrete Curing Compounds	350
Concrete Surface Retarders	780
Conjugated Oil Varnish	450
Conversion Varnish	725
Dry Fog Coatings	400
Faux Finishing Coatings	350
Fire-Resistive Coatings	350
Fire-Retardant Coatings	
●Clear	650
●Opaque	350
Floor Coatings	250
Flow Coatings	420
Form-Release Compounds	250
Graphic Arts Coatings (Sign Paints)	500
High-Temperature Coatings	420
Industrial Maintenance Coatings	340
Impacted Immersion Coatings	780
Low-Solids Coatings[3]	120
Magnesite Cement Coatings	450
Mastic Texture Coatings	300
Metallic Pigmented Coatings	500
Multi-Color Coatings	250
Nuclear Coatings	450

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Coating Category	VOC Content Limit (Grams VOC per liter)[2]
Pre-Treatment Wash Primers	420
Primers, Sealers, and Undercoaters	200
Reactive Penetrating Carbonate Stone Sealer	600
Quick-Dry Enamels	250
Quick-Dry Primers, Sealers and Undercoaters	200
Recycled Coatings	250
Roof Coatings	250
Rust Preventative Coatings	400
Shellacs	
●Clear	730
●Opaque	550
Specialty Primers, Sealers, and Undercoaters	350
Stains	250
Stone Consolidants	450
Swimming Pool Coatings	340
Swimming Pool Repair and Maintenance Coatings	340
Temperature-Indicator Safety Coatings	550
Thermoplastic Rubber Coatings and Mastics	550
Traffic Marking Coatings	150
Waterproofing Sealers	250
Waterproofing Concrete/Masonry Sealers	400
Wood Preservatives	350

[1] Limits are expressed in grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water, exempt compounds, or colorant added to tint bases. Manufacturer's maximum recommendation means the maximum recommendation for thinning that is indicated on the label or lid of the coating container.

[2] Conversion factor: one pound VOC per gallon (U.S.) = 119.95 grams per liter.

[3] Units for this coating are grams of VOC per liter (pounds of VOC/gallon) of coating, including water and exempt compounds.

2. The Permittee shall not apply a coating that is thinned to exceed the applicable VOC limit specified in the above table. [20 DCMR 774.5]

3. The Permittee shall not apply any rust preventive coating for industrial use, unless such a rust preventive coating complies with the industrial maintenance coating VOC limit specified in the above table. [20 DCMR 774.6]

4. For any coating that does not meet any of the definitions for the specialty coatings categories listed in the table above, the VOC content limit shall be determined by classifying the coating as a flat coating or a non-flat coating, based on its gloss, as defined in 20 DCMR 799, and the corresponding flat or non-flat coating limit shall apply. [20 DCMR 774.7]

5. Notwithstanding the provisions of Condition II(l)(1) of this permit, a person or

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facility may add up to ten percent (10%) by volume of VOC to a lacquer to avoid blushing of the finish during days with relative humidity greater than seventy percent (70%) and temperature below sixty-five degrees Fahrenheit (65° F) or eighteen degrees Celsius (18º C) at the time of application, provided that the coating contains acetone and no more than five hundred fifty grams (550 g.) of VOC per liter of coating, less water and exempt compounds, before the addition of VOC. [20 DCMR 774.10]

m. Adhesives and Sealants

1. Any person who supplies, sells, offers for sale, or uses or applies adhesives, sealants, or adhesive or sealant primers shall comply with the following, except as provided in Condition II(m)(2). Unless specified in Condition III, this permit does not authorize the Permittee to manufacture any adhesive, sealant, adhesive primer, or sealant primer.: [20 DCMR 201 and 20 DCMR 743.1]

   A. No person shall sell, supply, offer for sale, use or apply any adhesive, sealant, adhesive primer, or sealant primer manufactured on and after January 1, 2012, within the District of Columbia in excess of the applicable VOC content limits specified in the following Table of Standards, except as provided in Conditions II(m)(1)(D) and II(m)(2) [20 DCMR 744.1 and 744.2]:

   Table of Standards. VOC Content Limits for Adhesives, Sealants, Adhesive Primers, Sealant Primers and Adhesives Applied to Particular Substrates.

Adhesive, sealant, adhesive primer or sealant primer category	VOC content limit (grams VOC per liter[#])
CATEGORY 1: ADHESIVES	**VOC Limits (g/L)**
ABS welding	400
Ceramic tile installation	130
Computer diskette jacket manufacturing	850
Contact or contact bond	250
Cove base installation	150
CPVC welding	490
Indoor floor covering installation	150
Metal to urethane/rubber molding or casting	850
Motor vehicle	250
Motor vehicle weatherstrip	750
Multi-purpose construction	200
Non-membrane roof installation/repair	300

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Adhesive, sealant, adhesive primer or sealant primer category	VOC content limit (grams VOC per liter[#])
Outdoor floor covering installation	250
Plastic cement welding (except ABS, PVC or CPVC)	510
PVC welding	510
Single-ply roof membrane installation/repair	250
Structural glazing	100
Thin metal laminating	780
Tire retread	100
Perimeter bonded sheet vinyl flooring installation	660
Waterproof resorcinol glue	170
Sheet-applied rubber installation	850
CATEGORY 2: SEALANTS	**VOC Limits in (g/L)**
Architectural	250
Marine deck	760
Non-membrane roof installation / repair	300
Roadway	250
Single-ply roof membrane	450
Other	420
CATEGORY 3: ADHESIVE PRIMERS	**VOC Limits in (g/L)**
Automotive glass	700
Motor vehicle glass bonding	900
Plastic cement welding	650
Single-ply roof membrane	250
Traffic marking tape	150
Other	250
CATEGORY 4: SEALANT PRIMERS	**VOC Limits in (g/L)**
Architectural – non-porous material	250
Architectural – porous material	775
Marine deck	760
Other	750
CATEGORY 5: ADHESIVES APPLIED TO PARTICULAR SUBSTRATES	**VOC Limits in (g/L)**
Flexible vinyl	250
Fiberglass	200
Reinforced plastic composite	200
Metal	30
Porous material (other than wood)	120

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Adhesive, sealant, adhesive primer or sealant primer category	VOC content limit (grams VOC per liter[#])
Rubber	250
Wood	30
Other substrates	250

[#] The VOC content is determined as the weight of VOCs, less water and exempt compounds as specified in 20 DCMR 747.

B. The VOC content limits in the Table of Standards in Condition II(m)(1)(A) for adhesives applied to particular substrates (such as, Category 5), shall apply as follows [20 DCMR 744.3]:

   i. If an operator uses an adhesive or sealant subject to a specific VOC content limit for such adhesive or sealant in the Table of Standards in Condition II(m)(1)(A), such specific limit applies rather than an adhesive-to-substrate limit; and

   ii. If an adhesive is used to bond dissimilar substrates together, the applicable substrate category with the highest VOC content shall be the limit for such use.

C. Except as provided in Conditions II(m)(1)(D) and II(m)(2), any person subject to Condition II(m) using a surface preparation or cleanup solvent shall [20 DCMR 744.4]:

   i. Except as provided in Condition II(m)(1)(C)(ii) for single-ply roofing, not use materials containing VOCs for surface preparation, unless the VOC content of the surface preparation solvent is less than seventy grams per liter (70 g./L);

   ii. If a surface preparation solvent is used in applying single-ply roofing, not use materials for surface preparation containing VOCs, unless the composite vapor pressure of the surface preparation solvent, excluding water and exempt compounds, does not exceed forty-five millimeters of mercury (45 mm. Hg) at twenty degrees Celsius (20º C) or sixty-eight degrees Fahrenheit (68° F);

   iii. Except as provided in Condition II(m)(1)(C)(iv), not use materials containing VOCs for the removal of adhesives, sealants, or adhesive or sealant primers from surfaces, other than spray application equipment, unless the composite vapor pressure of the solvent used, excluding water and exempt compounds, is less than forty-five millimeters of mercury (45 mm. Hg) at twenty degrees Celsius (20º C) or sixty-eight degrees Fahrenheit (68° F); and

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iv. Remove an adhesive, sealant, adhesive primer, or sealant primer from the parts of spray application equipment by:

1. An enclosed cleaning system, or an equivalent cleaning system as determined by the SCAQMD's "General Test Method for Determining Solvent Losses from Spray Gun Cleaning Systems," dated October 3, 1989;

2. Using a solvent with a VOC content of seventy grams (70 g) of VOC per liter of material, or less; or

3. Soaking parts containing dried adhesive in a solvent as long as the composite vapor pressure, excluding water and exempt compounds, of the solvent is nine and one half millimeters of mercury (9.5 mm. Hg) at twenty degrees Celsius (20º C) or sixty-eight degrees Fahrenheit (68° F) or less and is kept in a closed container, which shall be closed except when depositing or removing parts of materials from the container.

D. Any person using an adhesive, sealant, adhesive primer, or sealant primer subject to Condition II(m) who wishes to comply with Conditions II(m)(1)(A) and (C) with the use of an add-on control device in accordance with 20 DCMR 744.5 shall first obtain a permit pursuant to 20 DCMR 200, which shall specify the conditions under which this compliance method may be used. [20 DCMR 744.5 and 20 DCMR 200]

E. Any person using adhesives, sealants, adhesive primers, sealant primers, or surface preparation or cleanup solvents subject to Condition II(m) shall [20 DCMR 744.6]:

i. Store or dispose of all absorbent materials, such as cloth or paper, which are moistened with adhesives, sealants, primers, or solvents subject to Condition II(m), in non-absorbent containers that shall be closed except when placing materials in or removing materials from the container;

ii. Store all VOC-containing adhesives, sealants, adhesive primers, sealant primers, surface preparation and cleanup solvents, and related waste materials in closed containers;

iii. Ensure that mixing and storage containers used for VOC-containing adhesives, sealants, adhesive primers, sealant primers, surface preparation and cleanup solvents, and related waste materials are kept closed at all times except when depositing or removing these materials;

iv. Minimize spills of VOC-containing adhesives, sealants, adhesive primers,

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sealant primers, surface preparation and cleanup solvents, and related waste materials;

v. Convey VOC-containing adhesives, sealants, adhesive primers, sealant primers, surface preparation and cleanup solvents, and related waste materials from one location to another in closed containers or pipes; and

vi. Minimize VOC emission from cleaning of application, storage, mixing, and conveying equipment by ensuring that equipment cleaning is performed without atomizing the cleaning solvent and all spent solvent is captured in closed containers.

F. No person shall solicit, require the use or specify the application of any adhesive, sealant, adhesive primer, sealant primer, surface preparation or cleanup solvent if such use or application results in a violation of the provisions of 20 DCMR Chapter 7. The prohibition of this condition shall apply to all written or oral contracts under which any adhesive, sealant, adhesive primer, sealant primer, and surface preparation or cleanup solvent subject to Condition II(m) is to be used at any location in the District of Columbia. [20 DCMR 744.7]

2. Exemptions and exceptions to Condition II(m) are as follows: [20 DCMR 745]

A. Condition II(m) shall not apply to the use of the following compounds: [20 DCMR 745.1]

i. Adhesives, sealants, adhesive primers, or sealant primers being tested or evaluated in any research and development, quality assurance or analytical laboratory, provided records are maintained as required in Condition II(m)(5);

ii. Adhesives, sealants, adhesive primers, and sealant primers that are subject to VOC standards in 20 DCMR § 720 (Consumer Products – VOC Standards);

iii. Adhesives and sealants that contain less than twenty grams (20 g) of VOC per liter of adhesive or sealant, less water and less exempt compounds, as applied;

iv. Cyanoacrylate adhesives;

v. Adhesives, sealants, adhesive primers, or sealant primers that are sold or supplied by the manufacturer or supplier in containers with a net volume of sixteen (16) fluid ounces or less, or a net weight of one pound (1 lb) or less, except plastic cement welding adhesives and contact adhesives; or

vi. Contact adhesives that are sold or supplied by the manufacturer or supplier in containers with a net volume of one gallon (1 gal) or less.

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B. The requirements of Condition II(m) shall not apply to the use of adhesives, sealants, adhesive primers, sealant primers, or surface preparation and cleanup solvents in the following operations [20 DCMR 745.2]:

   i. Tire repair operations, provided the label on the adhesive states "For Tire Repair Only";

   ii. In the assembly, repair, and manufacture of aerospace components or undersea-based weapon system components;

   iii. Medical equipment manufacturing; or

   iv. Plaque laminating operations in which adhesives are used to bond clear, polyester acetate laminate to wood with lamination equipment installed before July 1, 1992, provided that records are maintained in accordance with Condition II(m)(2)(E).

C. The provisions of Condition II(m) (except Condition II(m)(2)(E)) shall not apply to a person who uses or applies any adhesive, sealant, adhesive primer, and sealant primer at a stationary source if the total VOC emissions from all adhesives, sealants, adhesive primers, and sealant primers used at the stationary source are less than two hundred pounds (200 lb) per calendar year, or an equivalent volume. [20 DCMR 745.3]

D. The provisions of Conditions II(m)(1)(A) and (C) shall not apply to the use of any adhesives, sealants, adhesive primers, sealant primers, cleanup solvents, and surface preparation solvents, provided the total volume of non-complying adhesives, sealants, primers, cleanup and surface preparation solvents applied facility-wide at a stationary source does not exceed fifty-five gallons (55 gal) per calendar year. [20 DCMR 745.4]

E. Any person claiming an exemption pursuant to Conditions II(m)(2)(B)(iv) through II(m)(2)(D) shall record and maintain monthly operational records sufficient to demonstrate compliance, and in accordance with Conditions II(m)(3) and (4). [20 DCMR 745.5]

F. Condition II(m) shall not apply to a distributor who sells, supplies or offers for sale in the District of Columbia any adhesive, sealant, adhesive primer, or sealant primer that does not comply with Condition II(m)(1)(a) provided that such distributor makes and keeps records demonstrating:

   i. The adhesive, sealant, adhesive primer, or sealant primer is intended for shipment and use outside of the District of Columbia; and

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ii. The distributor has taken reasonable precautions to assure that the adhesive, sealant, adhesive primer, or sealant primer is not distributed to, or within, the District of Columbia.

G. Condition II(m)(2)(F) shall not apply to any adhesive, sealant, adhesive primer, or sealant primer that is sold, supplied, or offered for sale by any person to a retail outlet in the District of Columbia.

3. Each person subject to Condition II(m) shall maintain records demonstrating compliance with the regulations, including, but not limited to, the following information [20 DCMR 746.1]:

   A. A list of each adhesive, sealant, adhesive primer, sealant primer cleanup solvent, and surface preparation solvent in use and in storage;

   B. A data sheet or material list that provides the material name, manufacturer identification, and material application;

   C. Catalysts, reducers, or other components used and the mix ratio;

   D. The VOC content of each product as supplied;

   E. The final VOC content or vapor pressure, as applied; and

   F. The monthly volume of each adhesive, sealant, adhesive primer, sealant primer, cleanup or surface preparation solvent used.

4. All records made to determine compliance with Condition II(m) shall be maintained for five (5) years from the date such record is created and shall be made available to the District of Columbia within ninety (90) days of a request. [20 DCMR 746.3]

5. For adhesives, sealants, adhesive primers, and sealant primers subject to the laboratory testing exemption pursuant to Condition II(m)(2)(A)(i), the person conducting the testing shall make and maintain records of all such materials used, including, but not limited to, the product name, the product category of the material or type of application, and the VOC content of each material. [20 DCMR 746.4]

6. Testing and calculations to determine compliance with Condition II(m) shall be performed as specified in 20 DCMR 747.

7. A person shall not apply a VOC-containing adhesive, adhesive primer, sealant, or sealant primer at a stationary source unless applied by one (1) of the following application methods using equipment operated in accordance with the specifications of the equipment manufacturer [20 DCMR 749.1]:

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A. Electrostatic application;

B. High volume low pressure (HVLP) spraying;

C. Flow coating;

D. Roller coating or hand application methods, including non-spray application methods similar to hand or mechanically powered caulking gun, brush coating, or direct hand application methods;

E. Dip coating (including electrodeposition coating):

F. Airless spraying;

G. Air-assisted airless spraying; or

H. Other adhesive application method that a person has demonstrated and the Department has determined achieves a transfer efficiency equivalent to or better than that achieved by HVLP spraying.

III. Emission Unit Specific Requirements

This operating permit identifies emission units based on information provided by the Permittee and cites specific applicable regulations from 20 DCMR, as well as the Code of Federal Regulations (CFR). These cited regulations and rules stipulate the conditions under which the Permittee is permitted to construct and operate, the control equipment (where applicable) that must be used to minimize air pollution, and the monitoring, testing, record keeping, and reporting requirements that will enable the Permittee to demonstrate, to the District and EPA, compliance with regulatory requirements.

Construction (where applicable) and operation of the emission units listed below is permitted subject to the facility complying with the following emission limits, standards, and other requirements specified herein and elsewhere in this permit [20 DCMR 200.15].

Construction or operation of equipment under the authority of this permit shall be considered acceptance of its terms and conditions.

Existing gasoline storage and dispensing equipment authorized for operation is as follows:

- Underground storage tanks as follows:
  - 30,000-gallon regular unleaded Tank #1
  - 30,000-gallon regular unleaded Tank #2
  - 30,000-gallon premium unleaded Tank #3
  - 1,500-gallon additive Tank #4;

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- ARID Permeator back-end vapor processor;
- Enhanced vapor recovery (EVR) equipment;
- Eight (8) double-sided multi-product gasoline dispensers; and
- Associated appurtenances existing at the time of issuance of this permit.

New gasoline dispensing equipment authorized for construction and subsequent operation is as follows:

- Four (4) additional Gilbarco Encore 700S NG4 double-sided multi-product gasoline dispensers;
- Single wall transition sump for additive injection and TMS additive injection system;
- TLS-450PLUS monitoring system;
- Vent risers; and
- Associated piping.

a. Emission Limitations:

1. Visible emissions shall not be emitted into the outdoor atmosphere from the gasoline dispensing equipment or storage tanks. [20 DCMR 201 and 20 DCMR 606.1]

2. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

   Violation of standards set forth in this section that occur as a result of unavoidable malfunction, despite the conscientious employment of control practices, shall be an affirmative defense for which the owner or operator shall bear the burden of proof. A malfunction shall not be considered unavoidable if the owner or operator could have taken, but did not take, appropriate steps to eliminate the malfunction within a reasonable time, as determined by the Department. [20 DCMR 903.13(b)]

3. The Permittee shall, at all times, operate and maintain the equipment covered by this permit, 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 Administrator 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. [40 CFR 63.11115(a)]

b. Operational Limitations:

1. The Permittee must equip the storage tanks with Stage I Vapor Recovery Systems

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(VRS) which shall remain operative and effective whenever gasoline is being transferred into the tank [20 DCMR 102.1 and 20 DCMR 704].

2. The transfer of gasoline from the delivery vessel into any stationary storage container shall occur only if the container is equipped with a submerged fill pipe, as defined in 20 DCMR 199 [1], and the displaced vapors from the storage container are processed by a system that prevents release to the atmosphere of no less than ninety percent (90%) by weight of organic compounds in the vapor displaced from the stationary container location. [20 DCMR 704.1 and 40 CFR 63.11117(b)] *Note that this is a streamlined permit condition. Compliance with this condition will ensure compliance with both 20 DCMR 704.1 and 40 CFR 63.11117(b).*

3. The vapor recovery portion of the Stage I Vapor Recovery System (VRS) shall include either or both of the following [20 DCMR 704.2]:

   A. A vapor return line from the storage container to the delivery vessel and a system that will ensure that the vapor return line is connected before gasoline can be transferred into the container; or

   B. A refrigeration-condensation system or equivalent designed to recover no less than ninety percent (90%) by weight of the organic compounds in the displaced vapor.

4. If a vapor-tight return system is used to meet the requirements of Condition III(b)(1) the system shall be constructed as to be adapted to retrofit with an absorption system, refrigeration-condensation system, or equivalent vapor removal system. [20 DCMR 704.3]

5. The gasoline storage tanks shall be equipped with a dual-point vapor balance system[2] which shall be installed and operated to meet the following design criteria: [40 CFR 63.11118(b)(1) and 40 CFR 63, Subpart CCCCCC, Table 1]

   A. All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect.

   B. The vapor line from the gasoline storage tank to the gasoline cargo tank shall be vapor-tight, as defined in 40 CFR 63.11132[3].

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[1] A submerged fill pipe is defined in 20 DCMR 199 as any fill pipe, the discharge opening of which is entirely submerged when the liquid level is six inches (6 in.) above the bottom of the tank. This term shall also include, when applied to a tank which is loaded from the side, a fill pipe adequately covered at all times during normal working of the tank.

[2] A dual-point vapor balance system, as defined in 40 CFR 63.11132 is a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

[3] Vapor-tight, as defined in 40 CFR 63.11132 means equipment that allows no loss of vapors. Compliance with

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C. The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer.

D. The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations.

E. If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends the same distance from the bottom of the storage tank as specified in Condition III(b)(2).

F. Liquid fill connections for all systems shall be equipped with vapor-tight caps.

G. Pressure/vacuum (PV) vent valves shall be installed on the storage tank vent pipes. The pressure specifications for PV vent valves shall be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, shall not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water.

H. The vapor balance system shall be capable of meeting the static pressure performance requirement of the following equation:

$$Pf = 2e^{-500.887/v}$$

Where:

Pf = Minimum allowable final pressure, inches of water.
v = Total ullage affected by the test, gallons.
e = Dimensionless constant equal to approximately 2.718.
2 = The initial pressure, inches water.

6. The operation or maintenance of any delivery vessel, or of any part of any liquid delivery system, or vapor collection or recovery system used or designed to be used in connection with the loading or unloading of the delivery vessel, shall be performed in a manner that is vapor-tight or in a manner so that there is no avoidable visible liquid leakage or liquid spillage. [20 DCMR 704.6]

7. The tanks shall only be filled with the use of delivery vessels with posted certificates showing that the vessel passed a leak test within the past year in accordance with 20

vapor-tight requirements can be determined by checking to ensure that the concentration at a potential leak source is not equal to or greater than 100 percent of the Lower Explosive Limit when measured with a combustible gas detector, calibrated with propane, at a distance of 1 inch from the source.

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DCMR 704.4(b) and (c). [20 DCMR 704.4(f)]

8. The gasoline delivery vessel shall not unload gasoline into the storage tanks unless the following conditions are met: [40 CFR 63.11118(d) and 40 CFR 63, Subpart CCCCCC, Table 2]

   A. All hoses in the vapor balance system are properly connected;

   B. The adapters or couplers that attach to the vapor line on the storage tank have closures that seal upon disconnect;

   C. All vapor return hoses, couplers, and adapters used in the gasoline delivery are vapor-tight;

   D. All tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the gasoline dispensing facility storage tank; and

   E. All hatches on the tank truck are closed and securely fastened.

   F. The filling of storage tanks at gasoline dispensing facility shall be limited to unloading from vapor-tight gasoline cargo tanks. Documentation that the cargo tank has met the specifications of EPA Method 27 shall be carried with the cargo tank, as specified in 40 CFR 63.11125(c).

9. Total throughput of gasoline shall not exceed 26,000,000 gallons in any 12-consecutive-month period. [20 DCMR 200.6] Total throughput in any 12-consecutive-month period shall be calculated at the end of each calendar month by adding the monthly throughput[4] of each of the last 12 calendar months to obtain a total value.

10. The Permittee shall not handle or 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 [40 CFR 63.11118(a) and 40 CFR 63.11116(a)]:

    A. Minimize gasoline spills;

    B. Clean up spills as expeditiously as practicable;

[4] Monthly throughput is the total volume of gasoline loaded into, or dispensed from, all the gasoline storage tanks located at a single affected gasoline dispensing facility. If an area source has two or more gasoline dispensing facilities at separate locations within the area source, each gasoline dispensing facility is treated as a separate affected source. [40 CFR 63.11111(h)]

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C. Cover all open gasoline containers and all gasoline storage fill-pipes with a gasketed seal when not in use; and

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

11. Portable gasoline containers that meet the requirements of 40 CFR 59, Subpart F, are considered acceptable for compliance with Condition III(b)(10)(C). [40 CFR 63.11116(d)]

12. The Permittee shall not allow the transfer of gasoline to any vehicular fuel tank from any stationary storage tank unless the transfer is made through a fill nozzle designed to automatically shut off the transfer of gasoline when the vehicular fuel tank is full or nearly full. [20 DCMR 705.9]

13. The Permittee shall not allow the transfer of any additional gasoline to any vehicular fuel tank from a stationary storage tank after the dispensing system has automatically shut off the transfer of gasoline by virtue of the vehicular fuel tank being full or nearly full. [20 DCMR 705.10]

14. The Permittee shall take the actions necessary to ensure that all parts of the system used at the facility for compliance with this permit are maintained in good repair, and to ensure that any person, whether attendant, customer, or other, who uses the facility does so in accordance with proper operating practices and in compliance with the requirements of this permit. [20 DCMR 705.11]

c. <u>Monitoring and Testing Requirements:</u>

1. The Permittee shall monitor operation of the equipment to ensure compliance with Conditions III(b)(5), (6), (10), (11), (13), and (14).

2. Prior to filling of the tank by a delivery vessel, the Permittee shall take affirmative action to ensure that the delivery vessel has a clear and unequivocal certificate indicating that it has been leak tested within the past year and the leak test showed compliance with the standards specified on Condition III(b)(7). [20 DCMR 704.4(f)]

3. The Permittee shall monitor gasoline throughput on a monthly basis and otherwise as necessary to ensure compliance with Condition III(b)(9).

4. The Permittee shall perform the following tests at the time of installation and least once every twelve (12) months thereafter [40 CFR 63.11120(a) and 20 DCMR 705.15]:
Note that this is a streamlined permit condition. Compliance with these requirements will ensure compliance with both 40 CFR 63.11120(a) and 20 DCMR 705.15.

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A. A leak test in accordance with CARB's Vapor Recovery Test Procedure TP-201.3, as amended;

B. A leak rate and cracking pressure test in accordance with most recent version of CARB's TP-201.1E (October 8, 2003); and

C. A tie tank test in accordance with most recent version of CARB's TP-201.3C (July 26, 2012).

5. The Administrator of the U.S. Environmental Protection Agency (EPA) may require an owner or operator to conduct performance tests at the facility at any other time when the action is authorized by section 114 of the federal Clean Air Act. [40 CFR 63.7(a)(3)]

6. The Permittee shall conduct and allow the Department access to conduct tests of air pollution emissions from any source as requested. [20 DCMR 502.1]

7. Performance tests conducted for 40 CFR 63 Subpart CCCCCC shall be conducted under such conditions as the EPA Administrator or the Department specifies to the owner or operator based on representative performance (i.e., performance based on normal operating conditions) of the affected source. Upon request, the owner or operator shall make available to the EPA Administrator or the Department such records as may be necessary to determine the conditions of performance tests. [40 CFR 63.11120(c)]

8. Before conducting a required performance test, the Permittee shall develop, and if requested by the EPA Administrator or the Department, shall submit a site-specific test plan to the EPA Administrator or the Department for approval. The test plan shall include a test program summary, a test schedule, data quality objectives, and both an internal and external quality assurance (QA) program as specified in 40 CFR 63.7(c)(2)(ii). Data quality objectives are the pretest expectations of precision, accuracy, and completeness of data. The performance testing shall include a test method performance audit (PA) during the performance test as specified in 40 CFR 63.7(c)(2)(iii). [40 CFR 63.7(c), 40 CFR 63.9(e), and 40 CFR 63.11124(b)(4)]

d. Record Keeping and Reporting Requirements:
Except where a longer period is specified herein, the Permittee shall maintain all records necessary for determining compliance with this permit, as specified below, in a readily accessible location at the facility, or an electronic location readily accessible from the facility, for a minimum of five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record, and shall make these records available to the Department and EPA upon written or verbal request. [20 DCMR 104.2(b), 20 DCMR 302.1(c)(2)(B), 20 DCMR 500.8, 20 DCMR 606.5(d), and 40 CFR 63.10(b)(1)] All records shall be maintained in such a manner that authorized

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representatives can certify their accuracy under penalty of D.C. Official Code § 8-101.05e pertaining to false statements, and have either done so in the records, or will do so upon request at the time they are made available to the Department or EPA.

1. The Permittee shall maintain copies of the manufacture's specifications and design drawing for the tank and VRS to document compliance with Conditions III(b)(1) through (4) for the entire life of the tank.

2. The Permittee shall maintain records of the design of any fill nozzle deployed at the facility, as well as its deployment date and the date of removal/replacement of any fill nozzle to document compliance with Condition III(b)(12).

3. The Permittee shall maintain records of any leak or other deviation from permit requirements identified pursuant to the monitoring required by Condition III(c)(1) as well as any gasoline spills and the actions taken to correct the identified problem.

4. The Permittee shall maintain records of each delivery of fuel and documentation that each delivery vehicle was checked to ensure compliance with Condition III(b)(7). The person checking to ensure that an appropriate certificate is posted on the delivery vehicle shall initial and date the record of this check.

5. The Permittee shall maintain a record of the monthly throughput of the gasoline dispensing system and must make these records available within 24 hours of a request by the Department or EPA. These records shall also be maintained in a 12-consecutive-month rolling sum format. [20 DCMR 500.1 and 40 CFR 63.11117(d)]

6. The Permittee shall keep records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [40 CFR 63.11115(b) 40 CFR 63.11118(g), and 40 CFR 63.11125(d)(1)]

7. The Permittee shall keep records of actions taken during periods of malfunction to minimize emissions in accordance with Condition III(a)(3), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR 63.11115(b), 40 CFR 63.11118(g), and 40 CFR 63.11125(d)(2)]

8. The Permittee shall report, by March 15 of each year, the number, duration, and a brief description of each type of malfunction which occurred during the previous calendar year 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 Condition III(a)(3), including actions taken to correct a malfunction. No report is necessary for a calendar year in which no malfunctions occurred. [40 CFR 63.11115(b), 40 CFR 63.11118(g), and 40 CFR 63.11126(b)]

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9. The Permittee shall maintain records of the results of any test performed on the gasoline dispenser units, gasoline storage tanks, or their appurtenances. [20 DCMR 104.2(b) and 40 CFR 63.11125(a)]

10. The Permittee shall provide the results of the tests performed pursuant to Conditions III(c)(4), (5), and (6) to the Department. Such reports shall be submitted electronically to air.quality@dc.gov within sixty (60) days after completion of such test, unless another timeline is specified by the Department or EPA. [20 DCMR 500.1 and 20 DCMR 705.14]

11. The Permittee shall provide the results of tests performed pursuant to Condition III(c)(5) to EPA. Such reports shall be submitted within sixty (60) days after completion of such test, unless another timeline is specified by EPA.

12. If the equipment fails any test specified in Condition III(c)(4), the Permittee shall [20 DCMR 705.16]:

    A. Notify the Department of the failure in writing or by other means approved by the Department within five (5) working days after the test is completed;

    B. Remove the affected dispenser(s) from service immediately after the failed test occurred;

    C. In a case in which the test required in Condition III(c)(4)(C) results in a failure, also halt operations at the entire gasoline dispensing facility immediately; and

    D. Not recommence halted operations until after necessary repairs are completed and a passing retest occurs.

13. The Permittee shall provide the Department, via electronic submission to air.quality@dc.gov, with the following data by January 31 of each year [20 DCMR 705.17]:

    A. Monthly data for the entirety of the prior calendar year on throughput at the gasoline dispensing facility, in terms of volume of gasoline;

    B. The number of nozzles and type of Stage II Vapor Recovery System (if any) installed on each nozzle at the gasoline dispensing facility; and

    C. The number and size of storage tanks at the gasoline dispensing facility.

14. The Permittee shall keep all documentation supporting initial notifications and notifications of compliance status identified in Condition III(e) of this permit. [40 CFR 63.10(b)(2)(xiv)]

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15. Unless otherwise specified herein, all reports required by this permit shall be submitted electronically to air.quality@dc.gov.

16. In addition to Condition III(d)(15), reports required pursuant to Conditions III(c)(5) and III(d)(8) shall be submitted to the following mailing address, or by other method as directed by EPA:

    United States Environmental Protection Agency
    Region 3, Enforcement & Compliance Assurance Division
    Air, RCRA and Toxics Branch (3ED21)
    Four Penn Center
    1600 John F. Kennedy Boulevard
    Philadelphia PA 19103-2852

e. Notifications:

1. The Permittee must comply with the following notification requirements [40 CFR 63.11118(f) and 40 CFR 63.11124(b)]:

   A. The Permittee must submit an Initial Notification that the Permittee is subject to 40 CFR 63, Subpart CCCCCC no later than 120 days after issuance of this permit. The Initial Notification must contain the information specified in Condition III(e)(3)(1)(A)(i) through (iii). The notification must be submitted to the EPA Region 3 office and the Department as specified in Condition III(e)(2).

      i. The name and address of the owner and the operator.

      ii. The address (i.e. physical location) of the gasoline dispensing facility.

      iii. A statement that the notification is being submitted in response to 40 CFR 63, Subpart CCCCCC and identifying the requirements in paragraphs (a) through (c) of 40 CFR 63.11118 that apply to the Permittee.

   B. The Permittee must submit a Notification of Compliance Status to the EPA Region 3 office and the Department, as specified in Condition III(e)(2), before the close of business on the 60th day following the completion of the compliance demonstration activities specified in Condition III(c)(4). The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy, must indicate whether the source has complied with the requirements of 40 CFR 63, Subpart CCCCCC, and must indicate whether the facilities' monthly throughput is calculated based on the volume of gasoline loaded into all storage tanks or on the volume of gasoline dispensed from all storage tanks. If the facility is in compliance with the requirements of 40 CFR 63, Subpart CCCCCC at the time the Initial Notification required under Condition III(e)(1)(A) of this permit is

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due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under Condition III(e)(1)(A).

C. The Permittee must submit a Notification of Performance Test, notifying the EPA Administrator and the Department at least 60 calendar days prior to initiating testing required by Condition III(c)(4) to allow the Administrator to review and approve the site-specific test plan required under 40 CFR 63.7(c), if requested by the EPA Administrator or the Department, and to have an observer present during the test.

2. Notifications required pursuant to Condition III(e)(1) shall be submitted as follows:

A. Notifications to EPA shall be submitted electronically via EPA's Compliance and Emissions Data Reporting Interface (CEDRI) which can be accessed through EPA's Central Data Exchange (CDX) (https://cdx.epa.gov/). The Permittee must use the appropriate electronic report in CEDRI for 40 CFR 63, Subpart CCCCCC. If the reporting form specific to 40 CFR 63, Subpart CCCCCC is not available in CEDRI a the time that the notification is due, the Permittee must submit the report to the EPA Administrator at the following mailing address. The Permittee must begin submitting reports via CEDRI no later than 90 days after the form becomes available in CEDRI.

United States Environmental Protection Agency
Region 3, Enforcement & Compliance Assurance Division
Air, RCRA and Toxics Branch (3ED21)
Four Penn Center
1600 John F. Kennedy Boulevard
Philadelphia PA 19103-2852

B. Notifications to the Department shall be submitted electronically to air.quality@dc.gov.

IV. Miscellaneous/Insignificant Activities:

The District does not consider the "miscellaneous activities" (also commonly known as "insignificant activities") listed in the following table to be significant sources. However, as they have the potential to emit VOCs, the pollutant for which this facility has taken a synthetic minor limitation, in some quantity, their emissions must be considered to ensure the facility maintains the required minor source status.

Emission Unit ID	Stack ID	Emission Unit Description
No Miscellaneous Activities Emitting VOCs Identified.		

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These units shall comply with the following requirements:

a. The miscellaneous activities are subject to the General Permit Requirements (Condition I) and Facility-Wide Permit Requirements (Condition II) of this permit; and

b. Emissions from the miscellaneous activities must be reasonably estimated, and the Permittee shall report the estimated emissions, as well as the specifics of the method(s) of estimation, in the annual emission statement required by Condition I(c)(2) of this permit. [20 DCMR 500]

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