July 9, 2024

Shirley H. Harmon, Manager

Environmental Programs & Services

Potomac Electric & Power Company

701 Ninth Street, NW

Washington, D.C. 20068

**RE: Permit No. 7192-R1 to Operate a Vehicle Fueling Island at the Benning Service Center, 3400 Benning Road NE, Washington, DC**

Dear Shirley Harmon:

Pursuant to sections 200.1 and 200.2 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR), a permit from the Department of Energy and Environment (“the Department”) shall be obtained before any person can operate a stationary source in the District of Columbia. The application of Potomac Electric & Power Company (“the Permittee”) to renew Permit No. 7192 to operate a fleet fueling system located at the Benning Service Center, 3400 Benning Road NE, Washington DC, has been reviewed. The project consists of the following components:

* **Gasoline Dispensing System**:
* Dresser Wayne remote dispensers, model number 3/G7203D/289GHJK
* Three (3) gasoline dispensing nozzles (model number 600-02G3 FS);
* One (1) 12,000 gallon gasoline UL 2085 AST and standard appurtenances;
* Stage I vapor recovery systems; and
* Stage II Healy Central Vacuum (VP500 Series) vapor recovery systems;[[1]](#footnote-1)
* **Diesel Dispensing System:**
* One (1) 12,000 gallon diesel UL 2085 AST complete with standard appurtenances; and
* Four (4) Diesel dispensing nozzles;

Based on the application renewal letter dated March 15, 2023 and the previously submitted plans and specifications as detailed in the application dated November 29, 2017, the application is hereby approved, and the operation of the fleet fueling system is permitted, subject to the following conditions:

**I.** **General Requirements:**

1. The fuel fueling system shall be constructed and operated in accordance with the air pollution control requirements of 20 DCMR.

b. This permit will expire on July 8, 2029. [20 DCMR 200.4] If continued operation after this date is desired, the Permittee shall submit an application for renewal by April 8, 2029.

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

1. The Permittee shall allow authorized officials of the District, upon presentation of identification, to:

1. Enter upon the Permittee’s premises where a source or emission unit is located, an emissions related activity is conducted, or where records required by this permit are kept;

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;

3. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement.

1. This permit shall be kept on the premises and produced upon request.
2. Failure to comply with the provisions of this permit may be grounds for suspension or revocation. [20 DCMR 202.2]

**II. Gasoline Storage Tank** – The 12,000 gallon gasoline UL 2085 aboveground storage tank, its appurtenances, and related delivery operations, shall comply with the following requirements:

a. Emission Limitations:

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

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 or property is prohibited. [20 DCMR 903.1]

Violation of the requirements of this condition that occurs 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)]

* 1. b. Operational Limitations:
1. The Permittee must equip the storage tank with a Stage I Vapor Recovery System (VRS) which shall remain operative and effective whenever gasoline is being transferred into the tank [20 DCMR 107.1 and 20 DCMR 704].
2. The transfer of gasoline from the delivery vessel into the stationary storage container shall occur only if the container is equipped with a submerged fill pipe (no more than six inches from the bottom of the tank) 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: This is a streamlined condition combining the most stringent aspects of 20 DCMR 704.1 and 40 CFR 63.11117(b). Compliance with Condition II(b)(2) will be considered compliance with both requirements.*
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]:
4. 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
5. 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.
6. If a vapor-tight return system is used to meet the requirements of Condition II(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]
7. 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]
8. The tank 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 DCMR 704.4(b) and (c). [20 DCMR 704.4(f)]
9. The Permittee shall: [20 DCMR 606.4]
10. 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;
11. Maintain the equipment in accordance with one of the following:
12. The manufacturer’s emission-related written instructions; or
13. Unless preempted by specific federal regulation, an alternate written maintenance plan approved in writing by the Department; and
14. Ensure that persons participating in the maintenance and operation of equipment are adequately trained and supervised to meet the requirements Conditions II(b)(7)(A) and (B).
15. Monitoring and Testing Requirements:
16. The Permittee shall monitor operation of the equipment to ensure compliance with Condition II(b)(5).
17. 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 II(b)(6) [20 DCMR 704.4(f)]
18. The Permittee shall monitor the maintenance being performed on the equipment to ensure compliance with Conditions II(b)(7)(a) and (B).
19. The Permittee shall monitor who performs maintenance and operations of the storage tank to ensure that those persons have appropriate training to perform their tasks pursuant to Condition II(b)(7)(C).
20. Record Keeping and Reporting Requirements:
21. The Permittee shall maintain copies of the manufacture’s specifications and design drawing for the tank and vapor recovery system to document compliance with Condition II(b)(1) through (4).
22. The Permittee shall maintain records of any leak identified pursuant to the monitoring required by Condition II(c)(1) and the actions taken to correct the identified problem.

3. The Permittee shall maintain records of each delivery of fuel and documentation that each delivery vehicle was checked to ensure compliance with Condition II(b)(5). The person checking to ensure that an appropriate certificate is posted on the delivery vehicle shall initial and date the record of this check.

4. The Permittee must have records available within 24 hours of a request by the agency to document gasoline throughput. [40 CFR 63.11117(d)]

1. The Permittee shall maintain records of the manufacturer’s emission-related written instructions or Department-approved maintenance plan for the life of the system to ensure that compliance with Conditions II(b)(7)(A) and (B) can be determined.
2. The Permittee shall maintain records of all maintenance performed on the equipment.

**III. Gasoline Dispensing System** – The gasoline dispensing equipment and related vehicular fueling operations from the storage tank covered by Condition II of this permit shall comply with the following requirements:

* 1. a. Emission Limitations:

1. Visible emissions shall not be emitted into the outdoor atmosphere from the gasoline dispensing system. [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 the requirements of this condition that occurs 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)]

* 1. b. Operational Limitations:
1. The Permittee may, on or after January 1, 2022, commence the decommissioning of the existing vacuum assist Stage II vapor recovery system of the gasoline dispensing facility in accordance with Condition III(b)(3). [20 DCMR 705.2 and 20 DCMR705.3]
2. The Permittee shall ensure that any Stage II vapor recovery system that uses a vacuum assist system that has not been decommissioned pursuant to Condition III(b)(3) complies with Condition III(b)(4) of this permit. [20 DCMR 705.6]
3. If the Permittee chooses to decommission an existing Stage II vapor recovery system that utilizes a vacuum assist process pursuant to Condition III(b)(1), the Permittee shall: [20 DCMR 705.5]
4. Follow the “Recommended Practices for Installation and Testing of Vapor Recovery Systems at Vehicle Refueling Sites” of the Petroleum Equipment Institute, Section 14 (2009 Ed.), and
5. Provide the Department the completed “Stage II Decommissioning Checklist,” available from the Department, within thirty (30) days of decommissioning.
6. As long as the facility has a Stage II vapor recovery system and has not decommissioned the system pursuant to Conditions III(b)(1) and (3), the transfer of gasoline to any vehicular fuel tank from any stationary storage container shall be prohibited unless the transfer is made through a fill nozzle designed, operated, and maintained: [20 DCMR 705.6]:
7. To prevent the discharge of the gasoline vapors to the atmosphere from either the vehicle filler neck or the fill nozzle;
8. To direct the displaced vapor from the vehicular fuel tank to either of the following:

i. A system, utilizing a vapor balance process, wherein at least ninety percent (90%) by weight of the organic compounds in the displaced vapors are removed, recovered, or destroyed; or

ii. A system, utilizing a vacuum assist process, wherein at least ninety-six percent (96%) by weight of the organic compounds in the displaced vapors are removed, recovered or destroyed; and

C. To prevent vehicular fuel tank overfills or spillage.

1. If the Permittee uses a vapor balance system to comply with Condition III(b)(4)(B)(i), the vapor balance system shall have the following [20 DCMR 705.4 and 705.7]:
2. A vapor-tight vapor return hose to conduct the vapors displaced from the vehicular fuel tank to the gasoline dispensing facility's gasoline storage tank(s);
3. A vapor-tight seal to prevent the escape of gasoline vapors into the atmosphere from the interface between the fill nozzle and the filler neck of the vehicular fuel tank;
4. A fill nozzle with a built-in no-seal no-flow feature designed to prevent the discharge of gasoline from the nozzle unless the seal described in Condition III(b)(5)(B) is engaged;
5. A fill nozzle with a built-in feature, designed to automatically shut off the flow of gasoline when the pressure in the vehicular fuel tank exceeds ten (10 in.) inches of water gauge;
6. A vapor return hose equipped with a device that will automatically shut off the flow of gasoline through the fill nozzle when gasoline circulates back from the fill nozzle through the vapor hose to the facility's gasoline storage tank(s);
7. A vapor return hose no longer than nine feet (9 ft.) in length unless the hose is attached to a device designed to keep the hose out of the way of vehicles (when the nozzle is not in use) and to drain the hose of any collected or condensed gasoline; and
8. A gasoline dispensing system equipped with a device designed to prevent the dispensing of gasoline at any rate greater than eight (8) gallons per minute.
9. The use by any person of a fill nozzle which is a part of a vapor balance system shall be prohibited unless the system is maintained in good repair, and unless proper operating practices including, but not limited to, the following practices shall be followed [20 DCMR 705.8]:
10. Draining the vapor return hose of any collected or condensed gasoline as often as is necessary, but at least once each operating day;
11. Waiting as long as is necessary, but at least three (3) seconds after the shut-off of the fuel, before disconnecting the nozzle from the fill neck, in order to balance the pressure between the vehicular fuel tank and the facility's gasoline storage tank(s); and
12. After each fuel delivery, placing the vapor return hose on an area where vehicles will not ride over the vapor return hose.
13. 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]
14. 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]
15. The Permittee shall take the actions necessary to ensure that all parts of the system used at the facility for compliance with Condition III of 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 otherwise in compliance with the requirements of Condition III. [20 DCMR 705.11]
16. The Permittee shall not allow the transfer of gasoline to any vehicular fuel tank from any stationary storage tank for which a system for the control of gasoline vapors resulting from motor vehicle fueling operations is required unless the operator posts conspicuously in the gasoline dispensing area the operating instructions and warnings, in a form and with content duly promulgated by the Mayor, for the system. The instructions shall: [20 DCMR 705.12]
17. Clearly describe how to fuel vehicles correctly with vapor recovery nozzles utilized at the station;
18. Include a prominent display of the telephone number of the service station owner or operator for making complaints; and
19. Include warnings that:

i. Repeated attempts to continue dispensing, after the system has indicated that the vehicle fuel tank is full, may result in spillage or recirculation of gasoline; and

ii. Breathing gasoline vapors is hazardous to health.

1. The Permittee must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following [40 CFR 63.11117(a)]:

A. Minimize gasoline spills;

B. Clean up spills as expeditiously as practicable;

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

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

1. All vapor control systems (and components thereof) for the control of gasoline vapors resulting from motor vehicle fueling operations at this facility, including vapor balance systems and vacuum assist systems, shall meet the requirements for certification and shall be operated in accordance with the standards established by the State Fire Marshall for the State of California and the Division of Measurement Standards of the Department of Food and Agriculture of the State of California pursuant to §§ 41956, 41956.1, 41958 of the Health and Safety Code of the State of California. [20 DCMR 705.13]
2. An owner or operator of an existing gasoline dispensing facility must retain and maintain any Stage II vapor recovery system that utilizes a vapor balancing process in accordance with Condition III(b)(5).
3. Monitoring and Testing Requirements:
4. The Permittee shall complete the following testing requirements, including performance of tests approved by the California Air Resources Board (CARB), annually and within 12 months of the most recent test, except as noted, or within thirty (30) days upon installation or replacement of any vapor control systems, to ensure proper working conditions: [20 DCMR 705.14]

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

B. An air-to-liquid volume ratio test in accordance with the CARB’s Vapor Recovery Test Procedure TP-201.5, as amended;

C. A dynamic pressure performance test in accordance with CARB’s Vapor Recovery Test Procedure TP-201.4, as amended;

D. A vapor return line vacuum integrity test for the Healy Model 400 ORVR System in accordance with CARB Executive Order G-70-186, Exhibit 4 (October 26, 1998);

E. A vapor return line vacuum integrity test for the Healy Model 600 System in accordance with CARB Executive Order G-70-165 Exhibit 4 (April 20, 1995);

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

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

1. The Permittee shall, upon decommissioning any vapor recovery system perform the test requirements of Condition III(c)(1)(A), (F) and (G) at least once every twelve (12) months or within thirty (30) days upon removal of any vapor control systems. [20 DCMR 705.15]

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 three (3) years, and shall make these records available to the Department and EPA upon written or verbal request. [20 DCMR 104.2(b), 20 DCMR 500.8 and 20 DCMR 606.5(d)] All records shall be maintained in such a manner that authorized 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 drawings for the vapor recovery system to document compliance with Conditions III(b)(1) through (9) for the life of the equipment.

2. The Permittee shall maintain records of any leak identified pursuant to the monitoring and testing required pursuant to Conditions III(c)(1) and (2) and the actions taken to correct the identified problem.

3. The Permittee shall maintain records of the results of any test performed on the gasoline dispenser unit.

4. The Permittee shall maintain a record of the monthly throughput of the gasoline dispenser.

5. The Permittee shall maintain records of the results of Stage II testing required pursuant to Conditions III(c)(1) and (2).

1. The Permittee shall provide the results of the tests performed in accordance with Condition III(c)(1) and (2) to the Department. Such reports shall be submitted electronically to air.quality@dc.gov. [20 DCMR 705.14]
2. If the Permittee fails any test required in Conditions III(c)(1) or (2), 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)(1)(G) 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.

1. The owner or operator of any gasoline dispensing facility 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 installed on each nozzle at the gasoline dispensing facility; and

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

If you have any questions, please call me at (202) 498-8143 or John Nwoke at (202) 724-7778.

Sincerely,

Stephen S. Ours, P.E.

Chief, Permitting Branch

SSO:JCN

1. The Permittee may remove a Stage II system utilizing a vacuum assist process as specified in 20 DCMR 703.3 and 703.5 and the subsequent requirements of this permit, but must maintain the system until those procedures have been followed completely. [↑](#footnote-ref-1)