Western Refining
GALLUP REFINERY

WNR LISTED NYSE

DEC 2008

December 23, 2008

Hope Monzeglio
Environmental Specialist
New Mexico Environmental Department
Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, NM 87505-6303

Re: Gallup Refinery Information Request and Request for Extension of Time

Dear Hope:

This letter is in response to our telephone conference with you and David Cobrain on December 22, 2008. Western Refining ("Western") Gallup refinery would like to request an extension of time to January 12, 2009 to complete part of Item 3, and all of item 5 of your email dated December 3, 2008. As you requested, the data for Item 2 is attached. The lab reports for Item 2 also include the third benzene stripper which is part of the Item 3 request. Also enclosed is the NMED Air Quality Permit as requested in Item 6. As we discussed yesterday, we also will respond to the other outstanding information requests in James Bearzi's December 19, 2008 letter by the dates specified therein. We understand that this will constitute a timely response both to your December 3rd email and to Mr. Bearzi's letter.

The data in Item 2 show the benzene levels in the inflow and outflow to the strippers at the lagoons (what we call Strippers 1 and 2). As you will note, we have had improvement in the level of benzene in the outflow from the Strippers 1 and 2 that goes into our active biological and aeration treatment system. However, we are in the process of making more changes that we believe will result in even greater improvements.

Please note it is Western's position that all of the benzene strippers (and the wastewater treatment system in whole) qualify for the RCRA wastewater treatment exemption as they are part of the permitted wastewater treatment facility. (*See* 45 Fed. Reg. 76074; codified at 40 CFR §§260.10, 264.1(g)(6), and 265.1(c)(10).) We believe NMED's actions in the past have been consistent with this position. For example, in a July 13, 1995 letter, the Hazardous and Radioactive Materials Bureau of NMED expressly determined that the Gallup refinery benzene decharacterization wastewater treatment unit was not required to submit a RCRA TSD treatment permit application. In that letter, NMED states that the benzene strippers "are a part of the process wastewater treatment system and are exempt from RCRA regulation." This determination was affirmed again in

2000, when NMED issued the RCRA post-closure permit for the facility.

Please contact me at 505-722-0217 if you have any questions regarding these submittals. Please note that nothing herein constitutes an admission and Western reserves all applicable rights and defenses.

Sincerely,

Ed Riege

Environmental Manager
Western Refining
Gallup Refinery

State of New Mexico
ENVIRONMENT DEPARTMENT
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RON CURRY
SECRETARY

CINDY PADILLA
DEPUTY SECRETARY

CERTIFIED MAIL NO. 7004 0750 0001 3212 9504
RETURN RECEIPT REQUESTED

Permittee:

Western Refining Southwest Incorporated
Rout 3, Box 7
Gallup, NM 87301

NSR Air Quality Permit No. 0633-M7
Gallup Refinery
TEMPO No. 888 – PRN 2007-0001
AIRS No. 35-031-0008

Company Official:

Ed Riege
Environmental Superintendent

M.a. Uhl
Mary Uhl
Bureau Chief
Air Quality Bureau

January 16, 2008
Date of Issuance

Air Quality Permit No. 0633-M7 is issued by the Air Quality Bureau of the New Mexico Environment Department (Department) to Western Refining Southwest Incorperated pursuant to the Air Quality Control Act (Act) and regulations adopted pursuant to the Act including Title 20, Chapter 2, Part 72 of the New Mexico Administrative Code (NMAC), (20.2.72 NMAC), Construction Permits and is enforceable pursuant to the Act and the air quality control regulations applicable to this source.

This permit authorizes the construction/modification and operation of the Gallup Refinery. The function of the facility is to refine crude oil into petroleum products such as gasoline, diesel, and aviation fuel. . This facility is located in Township 15 north, Range 15 west, Section 33, approximately 17 miles east of Gallup, New Mexico in McKinley County.

This modification 0633-M7 consists of:

1. addressing Stipulated Final Order AQCA 05-22 (CO) 08/02/05 requirements to include, but not limited to:
    a. revising the heat rate of combustion units C-H1, C-H2, and Z-81-B106,
    b. establishing initial NOx emission limits for combustion units Z-81-B106, Z-81-B102, C-H1, and C-H2
    c. requiring the facility to operate the boilers and heaters in accordance with 40 CFR 60 Subparts A and J,
2. consolidating the conditions of the previous permits (0633-M4 -- 0633-M6-R7) into this permit.
3. establishing a tank farm emission limit (TFEL) for the tanks included in equipment group 1 (EG1), and
4. increasing the total VOC emissions from the tanks located at the facility from 280.9 tons per year to 313.8 tons per year (for a total VOC increase of 33 tpy) from the EG1 tanks,

This permit supersedes all portions of Air Quality Permit No. 0633-M6-R7, issued August 7, 2007, except the portion requiring compliance tests. Compliance test conditions from previous permits are still in effect, unless the test have been satisfactorily completed, in addition to compliance test requirements contained in this permit.

The Department has reviewed the permit application for the proposed modification and has determined that the provisions of the Act and ambient air quality standards will be met. Conditions have been imposed in this permit to assure continued compliance. 20.2.72.210.D NMAC, states that any term or condition imposed by the Department on a permit is enforceable to the same extent as a regulation of the Environmental Improvement Board.

Pursuant to 20.2.75.11 NMAC, the Department will assess an annual fee for this facility. This regulation set the fee amount at $1,500 through 2004 and requires it to be adjusted annually for the Consumer Price Index on January 1. The current fee amount is available by contacting the Department or can be found on the Department's website. The AQB will invoice the permittee for the annual fee amount at the beginning of each calendar year. This fee does not apply to sources which are assessed an annual fee in accordance with 20.2.71 NMAC. For sources that satisfy the definition of "small business" in 20.2.75.7.F NMAC, this annual fee will be divided by two.

All fees shall be remitted in the form of a corporate check, certified check, or money order made payable to the "NM Environment Department, AQB" mailed to the address shown on the invoice and shall be accompanied by the remittance slip attached to the invoice.

TOTAL EMISSIONS

The total potential emissions from this facility, excluding exempted activities, are shown in the following table. Emission limitations for individual units are shown in Specific Condition 2.

Total Potential Criteria Pollutant Emissions from Entire Facility (for information only, not an enforceable condition):

Pollutant	**Emissions** (tons per year)
Nitrogen Oxides (NOx)	782.2
Carbon Monoxide (CO)	505.6
Volatile Organic Compounds (VOC)	652.6
Sulfur Dioxide (SO_2)	1,139.0
Particulate Matter – total suspended (TSP)	94.4
Particulate Matter less than 10 microns (PM_{10})	94.4
Particulate Matter less than 10 microns ($PM_{2.5}$)	94.4

3173.80 × $18 = 57,128.40

EST 2008

Total Potential HAPS that exceed one ton per year (for information only, not an enforceable condition):

Pollutant	**Emissions** (tons per year)
Formaldehyde	7.5
Methanol	1.7
Acetaldehyde	5.7
Benzene	10.6
Toluene	16.0
Xylene	10.7
Ethylbenzene	3.9
2,2,4-Trimethylpentane	6.4
Hexane	23.0
Styrene	2.5
Ethylene Glycol	0.6

SECTION I: SPECIFIC C.ONDITIONS

Pursuant to 20.2.72 NMAC, and the specific regulatory citations in parenthesis, the facility is subject to the following conditions.

1. Construction / Modification / Revision and Operation
(20.2.72 NMAC, and the regulations listed in Table 1.4)

a. The purpose of this modification is to consolidate all of the current NSR permits (0633-M4 - 0633M6R7) under one document. In the event that it is discovered that the permit relaxed an applicable requirement under 0633-M6-R7 with this modification, then the Department may reopen the permit and correct the typographical error as an administrative revision.

b. This facility is authorized to operate on a continuous basis.

c. Table 1.1 contains a list of the equipment regulated by this permit.

Table 1.1: Regulated Equipment List

UnitNo	Type	Make	Model	Construction Date.	Capacity	Description
Z-81-B104	Steam Boiler (part of cogen unit)	Deltak		1990	52 MM BTU/hr	
Z-81-G104	Gas Turbine (part of cogen unit)	US Turbine		1990	32 MM BTU/hr	
Z-81-B105	Steam Boiler (part of cogen unit)	Deltak		1990	52 MM BTU/hr	
Z-81-G105	Gas Turbine (part of cogen unit)	US Turbine		1990	32 MM BTU/hr	
Z-81-B102	Boiler	Vogt		1957	60 MM Btu/hr	
Z-81-B106	Boiler	Holman		1999	53 MM Btu/hr	
FB-1 (CO)	CO Boiler	Babcocks & Wilcox		1969	40 MM Btu/hr	
FB-1 (gas)	CO Boiler (Refinery Gas)	Babcocks & Wilcox		1969	50 MM Btu/hr	
G-C1A	Gas Compressor Engine	Worthington		1957	330 hp	
G-C1B	Gas Compressor Engine	Worthington		1957	330 hp	
G-C1C	Gas Compressor Engine	Worthington		1957	330 hp	
P-C1A	Gas Compressor Engine	Worthington		1957	450 hp	
P-C1B	Gas Compressor Engine	Worthington		1957	450 hp	
C-H1 (Low-NO_x)	Furnace	W-K-M Mfg Co.		1957	49.1 MM Btu/hr	
C-H2	Furnace	W-K-M Mfg Co.		1957	30.5 MM Btu/hr	
C-H5 (Low-NO_x)	Furnace	Petrochem		1961	30 MM Btu/hr	

H-F1	Furnace	KW Anderson GC Broach		1970	12 MM Btu/hr	
H-F2	Furnace	KW Anderson GC Broach		1970	12 MM Btu/hr	
P-H1 (dual stacks)	Furnace	U.O.P Design		1957	49 MM Btu/hr	
P-H2 (Low-NO_x)	Furnace	Optimized Process		1998	33 MM Btu/hr	
A-H2	Furnace	KW Anderson		1977	20 MM Btu/hr	
I-H1	Furnace	Radco		1986	13.4 MM Btu/hr	
I-H2	Furnace	Petrochem		1986	7.3 MM Btu/hr	
D-H1 (Low-NO_x)	Furnace	Broach		1993	2 MM Btu/hr	
AC-8 (dual stacks)	Emergency Air Compressor	Detroit Diesel	12V-71N	1974	405 BHP	
Z-84-P19	Evaporation Pond Spray Pump	Cummins	NT855NI	1979	255 HP	
FL-1	Smokeless Flare	John Zink/McGill	Americas SMS-20-I	1957	14 MM Btu/hr (Fuel Gas) 25 MM Btu/hr (Propane)	
D-H2	Vertical/cylindrical ultra low sulfur DHT Feed Heater	Broach	Job# 20071226	4/07	6.9 MM Btu/hr	
D-H3	Vertical/cylindrical Trickle bed reactor feed heater with two Low NOx burners	Optimized Process Furnace		6/1/2005	2 x 4.95 MM Btu/hr	
Z84-T5	API Oil-Water Separator	US Filter		Early 2004	500 gpm	
Z84-V1	Benzene Stripper	L.I.P	Custom	6/29/96	500 gpm	
Z84-V2	Benzene Stripper	L.I.P	Custom	6/29/96	500 gpm	
Z84-V7	Benzene Stripper	L.I.P	Custom	4/9/99	500 gpm	
TV-1	(SWAATS) Gas Processing Unit	Jim Davidson		12/1/2006	N/A	
AM	Amine Unit (AM):					
SWS	Sour Water Stripper Unit					
S-V14 (SATS)	SATS Glycol Still	Pro Quip	2632	1998	1.5 gpm	
DHT*	Diesel Hydrotreating Unit			1993	3,000 bpd	

FCCU*	Fluidized Catalytic Cracking Unit			1957	8,500 bpd	
Plat*	Platformer			1957	7,300 bpd	
ISOM*	Isomerization Unit			1986	5,000 bpd	
F	Facility Wide Fugitive Emissions					
Z-91-DE10	Emergency Fire Water Pond Pump	Allis Chalmers	21000 MK III	1969	385 hp	Exempt from 20.2.72 (20.2.72.202.A.4), but retained in this permit because of other applicable regulations.
Z-86-P2 *	Emergency Fire Water Booster Pump	Waukesha	145-GZ	1974	180 hp	
EG-2 *	Emergency Generator	Detroit Diesel	DD81237 405	1989	830 hp	Exempt from 20.2.72 (20.2.72.202.B.3), but retained in this permit because of other applicable regulations.
EG-3 (dual stacks) *	Emergency Generator	Detroit Diesel	16V-149T1	1989	2,500 hp	
EG-4 (dual stacks) *	Emergency Generator	Western Detroit Diesel Allison	16V-149T1	1989	2,500 hp	
Truck Rack	Truck Loading Rack Controlled by VRU			8/18/1998		
Rail Rack	Rail Car Loading Rack					Exempt from 20.2.72 (20.2.72.202.B.5), but retained in this permit because of other applicable regulations.
Fuel Oil Rack	Tank Truck Loading Rack					
FL-EFG	Emergency Ground Flare			1962	0.2 MM Btu/hr	
SM-1	Electrically-Driven Evaporation Pond Spraying Snow Machine	Snow Machine, Inc.	SMI320	7/2002	80 gpm	
SM-2	Electrically-Driven Evaporation Pond Spraying Snow Machine	Snow Machine, Inc	SMI320	7/2002	80 gpm	
AC-11	Portable Emergency Air Compressor	Sullair	1600HA FDTQ-CA	9/11/02	525 hp	
D-H1A (Low-NO_x)	Furnace					
EG1 Tanks	Equipment Group 1 Tanks					

* DHT, FCCU, Plat, and ISOM are process systems comprised of many individual emission units. This permit contains emission limits for those units which are considered emission units. Additionally, specific regulations may apply to the process system.

[1]FCCU: abbreviation for Fluid Catalytic Cracking Unit.

[2]DHT: abbreviation for Diesel Hydrotreating Unit. (0633M6R2)

NG = Natural Gas, SRFG = Sweet Refinery Fuel Gas

SWAATS = Sour Water Amine Ammonium Thiosulfate Solution: Convert the acid gas streams from Units AM and SWS into ammonium thiosulfate solution and release the tail gas into the atmosphere

Amine Unit (AM): The AM unit absorbs H_2S from plant fuel gas and send to Unit TV-1 for conversion to ammonium thiosulfate. This is a closed system with zero emissions.

SWS = Sour Water Stripper: process sour water from FCCU and DHT (stored in SWS TK1) and send to Unit TV-1 for conversion to ammonium thiosulfate. This is a closed system with zero emissions.

Plat = Platformer unit

Isom = Isomerization unit

d. Table 1.2 contains the exempt equipment under 20.2.72.202 NMAC. The tons per year emissions from the exempt equipment is calculated based on the assumed hours of operation.

Table 1.2:

Unit No.	Process or Operation	Assumed Annual Hours of Operation	Exemption Citation
EG-2	Emergency Generator	250	20.2.72.202.B.3
EG-3	Emergency Generator (Duel Stack)	250	20.2.72.202.B.3
EG-4	Emergency Generator (Duel Stack)	250	20.2.72.202.B.3
Z-91-DE10	Emergency Fire Pump	25	20.2.72.202.A.4
Z-86-P2	Emergency Fire Pump	30	20.2.72.202.A.4

e. Table 1.3 contains a list of emergency equipment. The tons per year emissions from the emergency equipment was calculated based on the assumed hours of operation as shown in the Table 1.3 below:

Table 1.3:

Unit No.	Process or Operation	Assumed Annual Hours of Operation	Note
Z-84-P19	Evaporation Pond Spray Pump	300	
FL-EFG	Ground Flare	500	
AC-8	Emergency Air Compressor	50	

f. The elevated flare (Unit no. FL-1) is subject to 40 CFR Part § 60.18 (and 40 CFR § 63.11).

g. The flare (Unit FL-1) shall be designed and operated so that there are no visible emissions in accordance with 40 CFR Part § 60.18.

h. Western shall implement good pollution control practices on Unit FL-1 to minimize flaring incidents as required by 40 CFR 60.11(d). SFO 8/1/05

i. Unit FL-1, all heaters, and all boilers shall be "affected facilities" as that term is used in 40 CFR 60 Subpart A and J, and shall be subject to and shall comply with the requirements of 40 CFR 60 Subparts A and J. No later than December 31, 2009, the permittee shall install, certify, calibrate, maintain, and operate fuel gas CMS (H2S). in accordance with the requirements of 40 CFR 60.11, 60.13, 60.105, and 40 CFR 60 appendix A, and the applicable performance specification test of 40 CFR 60 Appendix B. The fuel gas CMS (H2S) shall be used to demonstrate compliance with the fuel gas H2S limit.

40 CFR 60 Subpart J regulates SO2 emissions to the atmosphere. For all Subpart J units, it is the permittee's responsibility to obtain a copy of Subpart J and demonstrate compliance. This condition was added to the permit in accordance with Stipulated Final Order AQCA05-22(CO).

j. All equipment shall be operated and maintained in accordance with manufacturer's specifications and all applicable regulations.

k. This facility or components within this facility are subject to and shall comply with all applicable regulatory requirements. This includes, but is not limited to, the citations listed in Table 1.4. These citations contain regulatory requirements in addition to those found in this permit that **must** be met. These additional requirements can include, but are not limited to operational requirements, emission limits, standards, monitoring, recordkeeping, reporting, and testing requirements. It is the permittee's responsibility to obtain a copy of these regulations and demonstrate compliance with them.

Table 1.4: Applicable Requirements

Citation	Title
40 CFR Part 50 Subchapter C	Federal Ambient Air Quality Standards
40 CFR Part 60, Subpart A	General Provisions
40 CFR Part 60, Subpart Dc	Standards of Performance for Small industrial-Commercial-Institutional Steam Generating Units.
40 CFR 60, Subpart J	Standards of Performance for Petroleum Refineries
40 CFR Part 60, Subpart K	Subpart K—Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978
40 CFR Part 60, Subpart Ka	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984 Pleas Note: There are not Ka tanks as of the date of permit issuance, but language is retained in the permit to allow for such tanks to be added to EG1.
40 CFR Part 60, Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984
40 CFR Part 60 Subpart GG	Standards of Performance for Stationary Gas Turbines
40 CFR 60 Subpart GGG	Standards of Performance for VOC Emission From Petroleum Refinery Wastewater Systems
40 CFR 60 Subpart VV	Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry (As required by Subpart GGG)

40 CFR 60, Subpart QQQ	Standards of Performance for VOC Emissions From Petroleum Refinery Wastewater Systems
40 CFR 61, Subpart A	General Provisions
40 CFR 61, Subpart FF	National Emission Standard for Benzene Waste Operations
40 CFR 63, Subpart A	General Provisions
40 CFR 63, Subpart CC	National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries
40 CFR 63, Subpart R	National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (As required by Subpart CC)
40 CFR 63 UUU	National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units
40 CFR 63 Subpart GGGGG	National Emission Standards for Organic Hazardous Air Pollutants: Site Remediation
20.2.3 NMAC	Ambient Air Quality Standards
20.2.7 NMAC	Excess Emissions During MalfunctionStartup, Shutdown, or Scheduled Maintenance
20.2.36 NMAC	Petroleum Refinery – Sulfur
20.2.37 NMAC	Petroleum Processing Facilities
20.2.38 NMAC	Hydrocarbon Storage Facilities
20.2.70 NMAC	Operating Permits
20.2.71 NMAC	Operating Permit Fees
20.2.72 NMAC	Construction Permits
20.2.73 NMAC	NOI & Emissions Inventory Requirements
20.2.75 NMAC	Construction Permit Fees
20.2.77 NMAC	New Source Performance
20.2.78 NMAC	Emission Standards for Hazardous Air Pollutants
20.2.82 NMAC	MACT for Source Categories of HAPs

l. In accordance with 20 NMAC 2.36, the Gallup refinery is defined as a "new petroleum refinery" and shall comply with all applicable sections of 20.2.36 NMAC.

m. Pursuant to 20.2.37.7 NMAC the Gallup refinery is defined as a "new petroleum processing facility" and shall comply with the provisions of 20.2.37 NMAC.

n. The units listed in Table 1.5 are subject to 40 CFR 60 Subpart A and Subpart QQQ.

Table 1.5, Unit subject to 40CFR60 Subpart A and Subpart QQQ

Unit No.	Notes
DHT	
SATS	
Z84-T5	

o. The units listed in Table 1.6 are in VOC service and are subject to 40 CFR 60 Subpart A and Subpart GGG.

Table 1.6, Equipment in VOC Service in accordance with 40 CFR60 Subpart GGG

Unit No.	Notes
D-H1	
D-H1A	
D-H2	
D-H3	
I-H1	
SATS	
P-H2	

p. Tables 1.7, 1.8, and 1.9 contain lists of tanks that *may* be subject to 40 CFR 60 Subpart K, Ka, or Kb, respectively. The Department only considered the construction/reconstruction date and the tank capacity when it evaluated if a tank should be listed in the table.

Table 1.7: Tanks with the potential to be subject to 40 CFR 60 K based on Construction Date (Between June 11, 1973 and May 19 1978) and Capacity (≥ 40,000 gal or 952 bbl)

Tank No.	Date Constructed	Tank Capacity (barrels)	Note
T-337*	1977/1989	20,000	
T-344*	1977/1989/2003	21,000	
T-345*	1977/1989	20,000	

* Based on the determination that this facility is an existing source for 40 CFR 63, Subpart CC and the tank capacity, tanks marked with an "*"(≥ 46,758 gal or 1,113 bbl) have the potential to be subject to 40 CFR 63, Subpart CC Group 1 storage vessels. Pressure vessels are exempt from 40 CFR 63 Subpart CC, 40 CFR 60 Subpart K, Subpart Ka, and Subpart Kb.

Table 1.8: Tanks with the potential to be subject to 40 CFR 60 Ka based on Construction Date (Between May 18, 1978 and July 23, 1984) and Capacity (≥40,000 gal or 952 bbl)

Tank No.	Date Constructed	Tank Capacity (barrels)	Note
None			

* Based on the determination that this facility is an existing source for 40 CFR 63, Subpart CC and the tank capacity, tanks marked with an "*"(≥ 46,758 gal or 1,113 bbl) have the potential to be subject to 40 CFR 63, Subpart CC Group 1 storage vessels. Pressure vessels are exempt from 40 CFR 63 Subpart CC, 40 CFR 60 Subpart K, Subpart Ka, and Subpart Kb.

Table 1.9: Tanks with the potential to be subject to 40 CFR 60 Kb based on Construction Date (after July 23, 1984) and Capacity (≥75 M^3 or 471.7 bbl)

Tank No.	Date Constructed	Tank Capacity (barrels)	Note
T-102*	1991	80,000	
T-583*	1996	55,000	
Z-84-T1*	1995	5,000	
z-84-T2*	1995	5,000	
SWS-TK1	2006	1,000	
T-716	2006	1,000	
T-562	1987	21,000	Exempt: Pressurized
T-563	1987	21,000	Exempt: Pressurized

* Based on the determination that this facility is an existing source for 40 CFR 63, Subpart CC and the tank capacity, tanks marked with an "*"(≥ 46,758 gal or 1,113 bbl) have the potential to be subject to 40 CFR 63, Subpart CC Group 1 storage vessels. Pressure vessels are exempt from 40 CFR 63 Subpart CC, 40 CFR 60 Subpart K, Subpart Ka, and Subpart Kb.

q. The Department has determined that, based on the original construction or reconstruction date and the tank capacity, the tanks listed in Table 1.10 are not subject to 40 CFR 60 Subparts K, Ka, and Kb.

Table 1.10: Tanks not subject to K, Ka, or Kb based on construction dates and capacities.

Tank No.	Date Constructed	Tank Capacity (barrels)	Note
T-1*	1965	3,000	
T-2*	1965	4,000	
T-3*	1965	4,000	
T-4*	1970	4,000	
T-5*	1963	1,802	

T-6*	1963/1998	1,800	
T-7	1963	748	Exempt: Pressurized
T-101*	1957/2006	80,000	
T-105	1957	254	
T-106*	1957	5,000	
T-107*	1957	5,000	
T-108*	1957/1992	5,000	
T-111*	1957	5,000	
T-112*	1957	5,000	
T-115*	1957	5,000	
T-116*	1957	5,000	
T-117	1983	150	
T-225*	1957	25,000	
T-226*	1957	25,000	
T-227*	1957	5,000	
T-228*	1957	5,000	
T-231*	1957	5,000	
T-232*	1957	5,000	
T-235*	1957	5,000	
T-338*	1964	25,000	
T-339*	1957	25,000	
T-342*	1957	5,000	
T-343*	1957	5,000	
T-446	1987	700	Exempt: Pressurized
T-447*	1957	1,500	Exempt: Pressurized
T-448*	1957	1,500	Exempt: Pressurized
T-451	1957	900	
T-452	1957	900	
T-453*	1957	5,000	
T-554*	1987	2,100	Exempt: Pressurized
T-555*	1957	2,100	Exempt: Pressurized
T-556	1957	700	Exempt: Pressurized
T-557	1957	700	Exempt: Pressurized
T-560*	1957	1,500	Exempt: Pressurized
T-561*	1957	1,500	Exempt: Pressurized
T-564*	1957	5,200	Exempt: Pressurized
T-565*	1957	5,200	Exempt: Pressurized
T-567*	1969/2006	20,000	
T-568*	1957/1998 /2006	2,012	
T-569*	1957/1997	25,000	
T-570*	1957	25,000	
T-571*	1957/2004	25,000	
T-572*	1957/2004	25,000	

T-573	1957	250	
T-574*	1968/2005	40,000	
T-575*	1957	8,000	
T-576*	1968/1997	40,000	
T-577*	1957	10,000	
T-579*	1957	20,000	
T-581*	1957/1993	25,000	
T-582*	1957/2006	25,000	
T-701*	1963	37,000	
T-702*	1963	25,000	
T-703*	1963	25,000	
T-704*	1963	10,000	
T-705*	1963	10,000	
T-706*	1963	10,000	
T-707*	1963	1,700	
T-708	1963	1,000	
T-709	1963	1,000	
T-714*	1969	29,000	
Chevron	1965	238	
Western	1982	238	
Texaco	1989	48	
Unocal	1987	238	
Conoco	1987	24	
Exxon	1974	36	
Total	1991	190	
Mobil	1993	190	
Shell	1963	190	
Shell (old)	1963	274	
Amoco	≈1965	4	
O.C. Diesel	1957	71	
O.C. Gasoline	1957	71	
T-35	≈1975	19	
Z-81-T8	1957	250	
Z-81-T9	1974	60	
Z-81-T13	1989	11	
Z-81-T14	1989	12	
Z-81-T15	1989	90	
Pond Spray	1979	19	
Fire Pump	1969	12	
A-V6	1957	505	Exempt: Pressurized
AMTK1	1984	60	
Z-81-	1977	252	

T11*			
Z-83-T1	1998	45	
TV-TK1	1987	446	Exempt: Pressurized
Z-83-T3	2002	238	

* Based on the determination that this facility is an existing source for 40 CFR 63, Subpart CC and the tank capacity, tanks marked with an "*"(≥ 46,758 gal or 1,113 bbl) have the potential to be subject to 40 CFR 63, Subpart CC Group 1 storage vessels. Pressure vessels are exempt from 40 CFR 63 Subpart CC, 40 CFR 60 Subpart K, Subpart Ka, and Subpart Kb.

r. Each cogeneration turbine (G104 and G105) is subject to 40 CFR 60 Subparts A and GG.

s. The units listed in Table 1.11 were constructed after June 9, 1989 and on or before September 20, 1994 and are subject to and shall comply with 40 CFR 60 Subparts A and Dc.

Table 1.11, Dc Applicability Information

Unit No.	Note
Z-81-B104	
Z-81-B105	
Z-81-B106	

t. The amine unit (Unit No. AM) and the SWS unit are represented as being a closed loop system and shall not release any emissions of any regulated pollutants into the atmosphere.

u. Except for those tanks listed in Table 1.12, all tanks located at the refinery shall be part of Equipment Group1 (EG1). All tanks within EG1 shall be subject to the Tank Farm Emission Limit (TFEL) in Specific Condition 2.0. The TFEL is a total VOC emission limit from all of the EG1 tanks. The TFEL shall include flashing emissions. The flashing emissions shall be calculated using a Department approved method. The tanks in EG1 shall only emit VOC, HAPs, and any other non-regulated substances.

Table 1.12: Tanks not part of EG1

Tank No.	Note
T-101	Crude tank (contains H_2S)
T-102	Crude Tank (contains H_2S)
SWS-TK1	Sour Water Tank (contains H_2S and NH_3)
Pressure Tanks	Any pressure vessel capable of maintaining working pressures sufficient at all times to minimize vapor or gas loss to the atmosphere

v. The following modifications can be made to the EG1 tanks without triggering the 20.2.72.200.A.2 NMAC permitting process:

i. Adding new Tanks,

ii. Changing the contents of a tank,

iii. Converting a fixed roof tank (FRT) to an internal floating roof tank (IFRT),

iv. Converting an IFRT to a FRT, if the IFRT is no longer required by an applicable regulation.

Prior to any of these modifications that results in an emissions increase, Western shall demonstrate that the facility can meet the TFEL (by the process outlined in Condition 4.m) under the proposed scenario.

w. All IFRT shall be operated as if subject to 40 CFR 60 Subpart Kb.

x. The Department reserves the right to evaluate the performance of the TFEL with respect to PSD applicability and reopen the permit and remove the TFEL if it is deemed necessary

y. Any "Project", including changes to EG1, are subject to the permitting requirements of 20.2.74 NMAC (PSD). Specifically for VOC, any Project that results in an increase in VOC emissions greater than 40 tpy is subject to requirements of 20.2.74 NMAC. The term "Project" (as defined in 20.2.74.7.AP) shall be interpreted in accordance with 20.2.74 NMAC and the published USEPA guidance documents.

z. If a Project requires a 20.2.74 NMAC action, that Project is not authorized by the conditions of this permit.

aa. When calculating the Potential to Emit for the EG1-tanks, the company may only take credit for control equipment required by:

i. A regulation

ii. The Physical Design of the tank (including tank conversions from an FRT to a IFRT or a IFRT to a FRT)

iii. This permit, specifically, a VRU required by Table 1.13

bb. The tanks listed in Table 1.13 shall be equipped and operated with a closed vent system and a vapor recovery unit (VRU). The closed vent system shall be ducted to either the process inlet or to the flare (unit FL-1). For the purposes of calculating

Potential to Emit, the tanks listed in Table 1.13 will be assumed to have a control efficiency of 98%.

Table 1.13: Tanks required to have a VRU under this permit.

Unit No	Date Constructed	Tank Capacity (barrels)	Notes:
None			

cc. New or existing tanks can be added to Table 1.13 after providing Notification to the Department. The Potential to Emit for any tank listed in Table 1.13 shall be calculated based on the enforceable controlled emission rate.

dd. Western shall not burn fuel oil in any of the heaters or boilers (SFO 8/1/05).

ee. The processed waste water shall pass through a benzene stripper prior to being released into the retention ponds.

ff. The API oily water separator shall be covered.

gg. The throughput of the API oily water separator shall not exceed 262.8 million gallons per year, based on a daily rolling 365-day total.

2. Emission Limits (20.2.72.210 NMAC, paragraphs A and B.1 , and the regulations listed in Table 1.4)

a. The permittee shall meet all applicable emission restrictions in accordance with the applicable regulatory requirements listed in Table 1.4 in Specific Condition 1.

b. The NOx, CO, VOC, SOx, and particulate emissions from the regulated equipment at the refinery shall not exceed the rates in Table 2.1.

Table 2.1: Allowable Emission

Unit No	TSP		PM10		PM2.5		NOx		CO		VOC		SOx	
	pph	tpy	pph	tpy	pph	tpy	pph	tpy	pph	tpy				
Z-81-B104	--	1.7	--	1.7	--	1.7	10	43.8	4.3	18.8	--	1.2	0.8	3.6
Z-81-G104	--	0.9	--	0.9	--	0.9			1.0	4.2	--	--	0.5	2.2
Totals	0.6	2.6	0.6	2.6	0.6	2.6	10	43.8	5.2	23	--	1.5	1.3	5.8
Z-81-B105	--	1.7	--	1.7	--	1.7	10	43.8	4.3	18.8	--	1.2	0.8	3.6
Z-81-G105	--	0.9	--	0.9	--	0.9			1.0	4.2	--	--	0.5	2.2
Totals	0.6	2.6	0.6	2.6	0.6	2.6	10	43.8	5.2	23	--	1.5	1.3	5.8
Z-81-B102	--	2.0	--	2.0	--	2.0	10.4	45.5	4.9	21.6	--	1.4	2.3	10.1
Z-81-B106	--	1.2	--	1.2	--	1.2	4.9	21.5	0.5	2.3	0.8	3.7	2.0	8.9
FB-1 (CO & Gas)	17	74.5	17	74.5	17	74.5	42.8	187.3	66.4	290.9	--	1.2	239.4	1,048.4
G-C1A	--	--	--	--	--	--	11.8	51.8	0.9	4.0		1.5	--	0.5
G-C1B	--	--	--	--	--	--	11.8	51.8	0.9	4.0		1.5	--	0.5
G-C1C	--	--	--	--	--	--	11.8	51.8	0.9	4.0		1.5	--	0.5
P-C1A	--	--	--	--	--	--	15.9	69.7	1.2	5.4	0.5	2.0	--	0.7
P-C1B	--	--	--	--	--	--	15.9	69.7	1.2	5.4	0.5	2.0	--	0.7
C-H1 (Low-NO_x)	--	1.6	--	1.6	--	1.6	7.4	32.3	2.0	8.6	--	1.2	1.9	8.3
C-H2	--	1.0	--	1.0	--	1.0	5.6	24.6	2.5	11.0	--	0.7	1.2	5.1
C-H5 (Low-NO_x)	--	1.0	--	1.0	--	1.0	2.9	12.9	1.2	5.3	--	0.7	1.2	5.1
H-F1	--	--	--	--	--	--	1.2	5.2	1.0	4.3	--	--	--	2.0
H-F2	--	--	--	--	--	--	1.2	5.6	1.0	4.3	--	--	--	2.0
P-H1 (dual stacks)	--	1.6	--	1.6	--	1.6	4.8	21.0	4.0	17.7	--	1.2	1.9	8.2
P-H2 (Low-NO_x)	--	1.1	--	1.1	--	1.1	3.2	14.2	1.3	5.8	--	0.8	1.3	5.6
A-H2	--	0.7	--	0.7	--	0.7	2.0	8.6	1.7	7.2	--	0.5	0.8	3.4
I-H1	--	--	--	--	--	--	1.3	5.8	1.1	4.8	--	--	0.5	2.3
I-H2	--	--	--	--	--	--	0.7	3.1	0.6	2.6	--	--	--	1.2
D-H1 (Low-NO_x)	--	--	--	--	--	--	--	--	--	0.7	--	--	--	--

Unit No	TSP		PM10		PM2.5		NOx		CO		VOC		SOx	
	pph	tpy	pph	tpy	pph	tpy	pph	tpy	pph	tpy				
AC-8 (dual stacks)	0.9	0.02	0.9	0.02	0.9	0.02	12.6	0.3	2.7	0.1	1.0	0.03	0.1	0.003
Z-84-P19	0.6	--	0.6	--	0.6	--	7.9	1.2	1.7	--	0.6	--	--	--
FL-1	--	--	--	--	--	--	1.7	7.4	9.2	40.3	24.7	108.1	1.5	6.4
FL-1											H2S	→	0.02	0.07
FL-EGF														
D-H2	--	1.5	--	1.5	--	1.5	--	1.1	0.6	2.5	--	1.5	--	1.2
D-H3	--	0.5	--	0.5	--	0.5	--	1.3	--	2.0	--	0.5	--	1.7
Truck loading rack VRU												12.9		
Rail Rack											--	--		
Fuel Oil Rack											--	--		
Z84-T5 Z84-V1 Z84-V2 Z84-V7												34.6		
TV-1									--	1.8			0.8[2]	3.4
S-V14 (SATS)											--	0.6		
D-H1A	--	--	--	--	--	--	--	1.1	0.6	2.6	--	--	--	1.2
F												156.4		
TFEL (EG1)					--	--						313.8		
T-101 T-102 SWS-TK1	H2S											→	--	1.8

[1] Nitrogen dioxide emissions include all oxides of nitrogen expressed as NO_2

[2] The hourly SO_2 emission from Unit TV-1 are averaged over a three (3)-hour period

-- Emissions are less that 0.5 pph or 0.5 tph and, and, per department policy, those emission limit has not been included in this permit.

c. The total VOC emissions from all of the EG1 tanks, the TFEL, shall not exceed 313.8 tons per year.

d. To comply with NSPS Subpart GG, the NOx emissions from the operation of each turbine (G104 and G105) by itself or in combination with each boiler (B104 and B105) for cogeneration shall not exceed 150 ppmv at 15% oxygen on a dry basis.

e. To comply with NSPS Subpart GG, the SO_2 emissions in the exhaust gases of each cogeneration turbine shall not exceed 150 ppmv at 15 percent oxygen on a dry basis, or the fuel burned in the turbine shall not contain sulfur in excess of 0.8 percent by weight.

f. The VOC emissions from the truck loading terminal after control by the carbon adsorption vapor recovery unit (VRU) shall not exceed the emission limit listed in Table 2.1

g. Tank breathing and working losses were computed using the USEPA Tanks program Version 4.09d. Emission rates computed using the same parameters but with a different Department approved algorithm that exceed these values will not be deemed non-compliance with this permit.

h. Except as exempted in 40 CFR 60 Subpart J, all sour gas streams shall be treated to meet the requirements of 40CFR60.104(a)(1), Subpart J, prior to being combusted.

i. This facility is a "New petroleum processing facility" in accordance with 20.2.37and is therefore subject to mercaptan, hydrogen sulfide, carbon monoxide, particulate matter, and ammonia emission limits for a new petroleum processing facility for 20.2.37 NMAC. In addition to the emission limits of 20.2.37 NMAC, this facility is subject to the remaining applicable portions of 20.2.37 NMAC.

j. The emissions for the API oil water separator shall be calculated using the 12-month rolling total waste water throughput.

3. Monitoring
(20.2.72.210.C NMAC, and the regulations listed in Table 1.4)

a. The permittee shall accomplish applicable monitoring in accordance with the applicable regulatory requirements listed in Table 1.4 in Specific Condition 1.

b. The permittee shall comply with all applicable requirements of 40 CFR 61 Subpart FF – National Emission Standard for Benzene Waste Operations, including monitoring of facility-wide total annual benzene.

c. The equipment listed in Table 1.5 has been designated as being subject to 40 CFR 60, Subpart QQQ and shall comply with the applicable monitoring requirements of 40 CFR 60, Subpart QQQ.695.

d. The equipment listed in Table 1.6 has been designated as being subject to 40 CFR 60, Subpart GGG and shall comply with the leak detection, maintenance, and repair (LDMAR) program in accordance with the monitoring requirements of 40 CFR 60, Subpart GGG.

e. The permittee shall continually monitor the fuel usage to each combustion device greater then 30 MM Btu/hr except for the FB-1 (CO Boiler).

f. The equipment in hazardous air pollutant (HAP) service is subject to an LDMAR program in accordance with 40 CFR 63, Subpart CC.

g. The cogeneration turbines shall be fired only with pipeline quality natural gas with a hydrogen sulfide (H2S) content of 0.25 grains/100 dscf or less, equivalent to 4 ppmv.

h. As required by NSPS Subpart J, 40 CFR § 60.105(a), the permittee shall install, calibrate and maintain a continuous monitoring system (CMS) to continuously measure and record either the hydrogen sulfide (H_2S) in the refinery fuel gas streams being burned in the flare (Unit FL-1) and all of the heaters, boilers, and compressor engines listed in Table 1.1 or the permittee shall install CEMS to measure the concentration of sulfur dioxide emissions to the atmosphere. The permittee may comply with the continuous monitoring requirement of NSPS Subpart J through an Alternative Monitoring Plan, if approved by the EPA.

i. Western shall install, certify, calibrate, maintain, and operate COMS for opacity and CEMS for NOx, SO_2, and O_2, and CO (or PEMS for CO upon EPA's approval of an Alternative Monitoring Plan ("AMP")) at the Gallup FCCU, and will use such data to report compliance with the terms and conditions of the Order (Complaint and Consent Agreement and Final Order, Docket NO. CAA-06-2004-3310). Western shall make COMS, CEMS, PEMS, and process data available to the Department upon request.

j. The heaters, boilers (Except FB-1), and compressor engines shall be fired either with pipeline quality natural gas with a hydrogen sulfide (H2S) content of 0.25 grains/100 dscf or less, equivalent to 4 ppmv or refinery gas meeting the sulfur contents requirements of 40 CFR 60 Subpart J, or both. Unit FB-1 is authorized to combust the FCCU off-gas and any combination of the fuels stated above in this condition.

k. Annually, the permittee shall conduct, or have conducted, Reference Method 22, on the FL-1 with an observation period of 2 hours and in accordance with all procedures specified in 40 CFR § 60.18 (f), to demonstrate compliance with the requirements of 40 CFR Part § 60.18. This condition is not intended to relieve the permittee of the responsibility of complying with the standard between tests.

l. Once a day, the permittee shall monitor the pH and temperature in the first and second contactors of Unit TV-1 to ensure they remain within the normal operational ranges as specified by the manufacturer. (0633M6R2)

m. The permittee shall monitor the crude oil charge rate into the atmospheric tower (bbl/day).

n. The permittee shall monitor the daily gasoline loading rate (bbl/day) at the truck loading rack. Alkylate is considered to be gasoline.

o. Each calendar month the permittee shall verify the contents of each EG1-Tank and those tanks listed in Table 1.12. Pressurized tanks are not subject to this requirement.

p. The permittee, as necessary to comply with the conditions of this permit, shall continuously monitor the throughput of each EG1 tank.

q. Western shall install, certify, calibrate, maintain, and operate the COMS and CEMS on the FCCU in accordance with requirements of 40 CFR §60.11 (COMS), 60.13 (CEMS) and 40 CFR Part 60 Appendix A (CEMS), and the applicable performance specifications of 40 CFR Part 60 Appendix B and QA/QC procedures of Appendix F.

r. Once per calendar quarter, the permittee shall measure the total VOC emissions from the benzene strippers or shall measure the total VOC concentration in the pipe feeding the benzene strippers and discharging from the benzene strippers using a method that tests, at a minimum, total VOCs, or for those constituents listed in Table 40 CFR 63.655.

s. Once per calendar month, the permittee shall monitor the BTEX concentration in the pipe feeding the benzene stripper and discharging from the benzene stripper using Method 8260B.

t. The permittee shall monitor the gallons per day (gpd) throughput of the API oily water separator.

u. Once per calendar quarter, the permittee shall monitor the hours of operation of the exempt and emergency equipment listed in Table 1.2 and Table 1.3.

4. <u>Recordkeeping</u>
(20.2.72.210.E NMAC, and the regulations listed in Table 1.4)

a. The permittee shall keep records in accordance with the applicable regulatory requirements listed in Table 1.4 in Specific Condition 1.

b. Records shall be made of the information and measurements needed to prepare any reports for the storage tanks as required by 40 CFR 60, Subparts A, K, Ka (if applicable), and Kb.

c. In accordance with NSPS Subpart Dc (40 CFR 60.48.c(g)), records shall be made of the daily fuel consumption by those unit identified as being subject to Subpart Dc in Specific Condition 1.

d. The equipment listed in Table 1.6 has been designated as being subject to 40 CFR 60, Subpart GGG and the permittee shall keep the records described in 40 CFR 60, Subpart GGG, section 60.592.

e. The equipment listed in Table 1.5 has been designated as being subject to 40 CFR 60, Subpart QQQ and the permittee shall keep the records described in 40 CFR 60, Subpart QQQ.

f. Records shall be made of all information and data required to prepare the quarterly sulfur mass balance report required by 20 NMAC 2.36, Section 113.

g. Daily records shall be made of the crude oil charge rate to the atmospheric tower (bbl/day).

h. Daily records shall be made of the gasoline truck loading rate (bbl/day). Alkylate is considered to be gasoline.

i. Once a day, the permittee shall record the pH and temperature in the first and second contactors of Unit TV-1 to ensure they remain within the normal operational ranges as specified by the manufacturer. The records shall include date, time, normal pH range and temperature range, measured pH, measured temperature range, and the name of the recorder.

j. Each month the permittee shall identify on a list each EG1 tank. At a minimum, for each tank, the list shall include:

   i. the tank ID number,

   ii. the tank contents,

   iii. the throughput monitored per Specific Condition 3 and used in the TANKS calculation, and the monthly rolling 12-month total throughput for the tank,

   iv. whether or not the tank has the potential for releasing flashing emissions to the atmosphere.

   v. Whether the tank is subject to 40 CFR 60, Subpart K, Ka, Kb, or 40 CFR 63 Subpart CC-New or CC-Existing.

k. Monthly, the permittee shall maintain a record of each material(s) stored in the EG1-tanks. At a minimum the list shall include, the speciation of the material(s) stored, the percent of the total HAP content of the stored material, whether the stored content is considered to be a volatile organic liquid or a petroleum liquid or neither, the true

vapor pressure of the stored materials, and the date of any change in service of any tank. The speciation shall be sufficient to run the TANKS model.

l. Prior to a change, such as adding a tank, changing the contents of a tank, or changing the throughput of a tank, that results in an increase in VOC emissions to a EG1 tank, the permittee shall calculate the emissions from the new tank configuration using EPA TANKS (or equivalent as determined by the Department) and shall calculate the projected total emissions from all of the EG1-tanks. The calculations shall include flashing emissions. This value shall be compared against the TFEL in Specific Condition 2.

m. The permittee shall maintain a log of all Projects that result in an increase in VOC emissions. The date when the Project started construction, the date the Project became operational, a detailed description of the Project, and any de-bottle necking or increased utilization that resulted from the project. The term "Project" (as defined in 20.2.74.7.AP) shall be interpreted in accordance with 20.2.74 NMAC and the published USEPA guidance documents.

n. Semi-annually the permittee shall generate a summary record of:

i. A statement indicating that the facility has met or has not met the TFEL for the previous six months.

ii. The contents of each EG1-tank, their throughputs for the previous 12- months, the throughput used in the calculations, and any change in service of the tank.

iii. The true vapor pressure, the total HAP content, and a speciation of each of the materials stored in the EG1-tanks.

iv. the calculations used to show compliance or non-compliance with the TFEL over the previous 6-months.

v. A list of all EG1-tanks that have undergone a change that resulted in an emission increase within the last 6-months.

vi. Any deviation from operating the EG1-tanks in accordance with any applicable regulation or this permit.

vii. A statement of applicable regulations for each tank and whether the facility is or isn't in compliance with those regulations. At a minimum this statement should incude 40 CFR 60 Subparts A, K, Ka, and Kb; 40 CFR 63 Subpart CC; 20.2.37 NMAC and 20.2.38 NMAC.

o. Monthly, the permittee shall make a record of the amount of fuel consumed by each combustion device greater then 30 MM Btu/hr, except for unit FB-1, for the previous calendar month.

p. Monthly, the permittee shall calculate the amount of BTEX that is emitted monthly and the 12- month rolling BTEX emission rate (TPY) from the benzene stripper using the data collected in Specific Condition 3.

q. Quarterly, the permittee shall calculate the amount of VOC emitted during the quarter, and the quarterly rolling 4-quarter (annual) VOC emissions (TPY) from the benzene stripper and the API oil water separator using the data collected in Specific Condition 3.

r. Once per calendar day, the permittee shall record the throughput of the API oily water separator (gpd) and calculate the daily rolling 365 day total (gpy).

s. Once each calendar quarter, the permittee shall calculate the hours of operation for the exempt and emergency equipment listed in Table 1.2 and Table 1.3. The calculations shall include the quarterly total and the quarterly rolling 4-quarter total for each piece of equipment.

5. Reporting
(20.2.72 NMAC, Sections 210 and 212; NSPS 40 CFR 60, and the regulations listed in Table 1.4)

a. The permittee shall report in accordance with the regulatory requirements listed in Table 1.4 in Specific Condition 1.

b. In accordance with 20 NMAC 2.36, a refinery-wide sulfur mass balance report shall be submitted to the Air Quality Bureau within forty five (45) days following the end of each calendar quarter.

c. The equipment listed in Table 1.6 has been designated as being subject to 40 CFR 60, Subpart GGG and the permittee shall generate reports in accordance with 40 CFR 60, Subpart GGG, section 60.592(e). The report shall be submitted to the Department within 45 days of the end of the semi-annual reporting period

d. The equipment listed in Table 1.5 has been designated as being subject to 40 CFR 60, Subpart QQQ and the permittee shall generate reports in accordance with 40CFR60.698. The report shall be submitted to the Department within 45 days of the end of the semi-annual reporting period

e. Any equipment/process malfunction, startup, or shutdown that results in excess emissions shall be reported to the Department under the provisions of 20 NMAC 2.7 NMAC.

f. In accordance with 40 CFR 60.7, each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report and-or summary report form to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source.

6. Compliance Testing
(20.2.72 NMAC Sections 210.C and 213; and the regulations listed in Table 1.4)

a. Initial compliance tests are required on the equipment listed in Table 6.1 for the pollutants specified for each piece of equipment to demonstrate compliance with the limits in Specific Condition 2. This initial compliance testing shall be done prior to August 1, 2010.

Table 6.1, Unit that require testing for stated pollutants

Unit No	Pollutants
Z-81-B104	NOx and CO
Z-81-B105	NOx and CO
Z-81-B102	NOx and CO
Z-81-B106	NOx and CO
C-H1	NOx and CO
C-H2	NOx and CO
C-H5	NOx and CO
P-H1	NOx and CO
P-H2	NOx and CO

b. Compliance test requirements from previous permits (if any) are still in effect, unless the tests have been satisfactorily completed.

c. Compliance tests may be re-imposed if it is deemed necessary by the Department to determine whether the source is in compliance with applicable regulations or permit conditions.

d. These tests shall be conducted within sixty (60) days after the unit(s) achieve the maximum normal production. If the maximum normal production rate does not occur within one hundred twenty (120) days of source startup, then the tests must be

conducted no later than one hundred eighty (180) days after initial startup of the source.

e. The tests shall be conducted in accordance with EPA Reference Methods 1 through 4, Method 7E for NOx, Method 10 for CO, and contained in 40 CFR 60, Appendix A, and with the requirements of Subpart A, General Provisions, 60.8(f). Alternative test method(s) may be used if the Department approves the change. The results of the NOx tests shall be expressed as nitrogen dioxide (NO2) using a molecular weight of 46 lb/lb mole in all calculations (each ppm of NO/NO2 is equivalent to 1.194 x 10-7 lb/SCF).

f. When Method 7 is used and the stack gas O2 is less than 3%, a method of injecting O2 into the sample flask must be used for the correct transformation of NO to NO2 in the sample flasks.

If you have questions about this permit please call Sam Speaker of the AQB New Source Review (NSR) Unit in Santa Fe at (505) 827-1494, extension 8098.

Enclosure: Industry/Consultant Feedback Questionnaire with envelope

SECTION II: GENERAL CONDITIONS

7. Reporting
(20.2.72 NMAC Sections 210 and 212)

a) The Permittee shall notify the Department in writing of or provide the Department with:

i) the anticipated date of initial startup of each new or modified source not less than thirty (30) days prior to the date;

ii) the equipment serial number and the actual date of initial startup of each new or modified source within fifteen (15) days after the startup date;

iii) the date when each new or modified emission source reaches the maximum production rate at which it will operate within fifteen (15) days after that date;

iv) any change of operators within fifteen (15) days of such change;

v) any necessary update or correction no more than sixty (60) days after the operator knows or should have known of the condition necessitating the update or correction of the permit.

8. Revisions and Modifications
(20.2.72 NMAC Sections 200.A.2 and E, and 210.B.4)

Any future physical changes or changes in the method of operation may constitute a modification as defined by 20.2.72 NMAC, Construction Permits. Unless the source or activity is exempt under 20.2.72.202 NMAC, no modification shall begin prior to issuance of a permit.

Changes in plans, specifications, and other representations stated in the application documents shall not be made if they cause a change in the method of control of emissions or in the character of emissions, or will increase the discharge of emissions. Any such proposed changes shall be submitted as a revision or modification.

Modifications or revisions to this permit shall be processed in accordance with 20.2.72 NMAC.

9. Notification to Subsequent Owners
(20.2.72 NMAC Sections 7.P.1 and 212.C)

The permit and conditions apply in the event of any change in control or ownership of the

facility. No permit modification is required in such case. However, in the event of any such change in control or ownership, the permittee shall notify the succeeding owner of the permit and conditions and shall notify the Department of the change in ownership within fifteen (15) days of that change.

Any new owner or operator shall notify the Department, within thirty (30) days of assuming ownership, of the new owner's or operator's name and address.

10. Right to Access Property and Review Records
(NMSA 1978, Section 74-2-13)

The Department shall be given the right to enter the facility at all reasonable times to verify the terms and conditions of this permit. The company, upon either a verbal or written request from an authorized representative of the Department, shall produce any records or information necessary to establish that the terms and conditions of this permit are being met.

11. Posting/Retention of the Permit

A copy of this permit shall be posted at the plant site or retained at the plant site at all times and shall be made available to Department personnel for inspection upon request.

12. Permit Cancellations
(20.2.72 NMAC)

g. The Department shall automatically cancel any permit for any source which ceases operation for five (5) years or more, or permanently. Reactivation of any source after the five (5) year period shall require a new permit.

h. The Department may cancel a permit if the construction or modification is not commenced within two (2) years from the date of issuance or if, during the construction or modification, work is suspended for a total of one (1) year.

13. Pursuant to 20.2.72.210 A NMAC, the contents of a permit application specifically identified by the Department shall become the terms and conditions of the permit or permit revision. Unless modified by conditions of this permit, the applicant shall construct or modify and operate the facility in accordance with all representations of the application and supplemental submittals that the Department relied upon to determine compliance with applicable regulations and ambient air quality standards. If the Department relied on air quality modeling to issue this permit, any change in the parameters used for this modeling shall be submitted to the Department for review. Upon the Department's request, the applicant shall submit additional modeling for review by the Department. Results of that review may require a permit modification.

14. Prior to any asbestos demolition or renovation work, the permittee shall determine whether 40 CFR 61 Subpart M, National Emissions Standards for Asbestos applies.

15. For engines or turbines equipped with catalytic converters and/or air-fuel ratio (AFR) controllers, or similar device which performs the same function of maintaining appropriate air and fuel ratios, records shall be made and maintained by the owner or operator for a period of at least two (2) years from the date of generation and a summary of quarterly reports shall be submitted to the Department annually, which:

    i. For each AFR controlling type device, demonstrate that the manufacturer's or supplier's recommended maintenance is performed, including replacement of oxygen sensor as necessary for oxygen-based controllers. Verification of proper operation of the controller shall be demonstrated at least quarterly by measuring and recording exhaust oxygen or NO_x concentrations with a properly calibrated portable analyzer as specified in the most current version of the SOP for "Use of Portable Analyzers in Performance Tests".

    j. For any engine equipped with a non-selective catalytic converter, demonstrate the maintenance of the NOx and CO reduction efficiency across the catalyst bed. This test shall be performed within ninety (90) days following initial startup and on a quarterly basis thereafter, unless an alternative testing schedule is specified by the department. Properly calibrated portable analyzers are acceptable for this demonstration. The test shall be conducted at ninety percent (90%) or greater of full load and shall include the exhaust volume flow rate (dscf) and the NOx and CO emission rate (lb/hr). (20. 2.72 NMAC, Section 210.B(4).

    k. For any engine equipped with a selective catalytic converter, demonstrate the maintenance of the CO reduction efficiency across the catalyst bed. This test shall be performed within ninety (90) days following initial startup and on a quarterly basis thereafter, unless an alternative testing schedule is specified by the department. Properly calibrated portable analyzers are acceptable for this demonstration. The test shall be conducted at ninety percent (90%) or greater of full load and shall include the exhaust volume flow rate (dscf) and the NOx and the CO emission rate (lb/hr). (20. 2.72 NMAC, Section 210.B(4).

16. For engines equipped with catalytic converters, the engine shall not be operated without the catalytic converter, specifically including catalyst maintenance periods. During periods of catalyst maintenance, the permittee shall either (1) shut down the engine(s); or (2) replace the catalyst with a functionally equivalent spare to allow the engine to remain in operation.

17. Any engine equipped with a catalytic converter shall also have an AFR controlling device, or similar device that performs the same function of maintaining an appropriate air-fuel

ratio. Engines equipped with oxidation catalysts are not required to operate with an AFR.

18. Flares used as control devices to comply with any NSPS (40 CFR Part 60) or NESHAP (40 CFR Part 61) requirement shall be tested in accordance with the requirements contained in 40 CFR 60, Subpart A, General Provisions, paragraph 60.8 (performance tests) and 60.18 (general control device requirements). Flares used as control devices to comply with any MACT requirement (40 CFR Part 63) shall be tested in accordance with the requirements contained in 40 CFR 63, Subpart A, General Provisions, Section 63.7 (performance tests) and 63.11 (general control device requirements).

19. Except as provided in the Specific Conditions, records shall be maintained on-site for a minimum of two (2) years from the time of recording and shall be made available to Department personnel upon request. Sources subject to 20.2.70 NMAC "Operating Permit" shall maintain records on-site for a minimum of five (5) years from the time of recording.

20. If this permit requires any compliance testing, the owner or operator shall notify the Department at least thirty (30) days prior to the test date and allow a representative of the Department to be present at the test. The permittee shall submit a testing protocol to the Department at least thirty (30) days prior to the test date and shall observe the following testing procedures:

    I. The test protocol and compliance test report shall conform to the standard format specified by the Department. The most current version of the format may be obtained from the Enforcement and Compliance Section of the Air Quality Bureau.

        1. Pursuant to 20.2.72.210.C NMAC, for combustion sources with stacks, the permittee shall also provide a one-quarter (1/4) inch stainless steel sampling line adjacent to the sampling ports and extending down to within four (4) feet above ground level to provide access for future audits. The line shall extend into the stack a distance of 1/4 the stack diameter, but not less than one inch from the stack wall. The sampling line shall be maintained clear of blockage at all times. This line shall be in place at the time of any required compliance tests. For any source for which compliance tests are not required or for previously existing sources this line shall be installed no later than one hundred and eighty (180) days from the date of this permit.

        2. As an alternative, the owner or operator may provide a portable sampling line that is readily available which allows the Department to safely obtain representative stack gas samples at the time of compliance audits or site inspections.

3. A physical configuration of the facility that conforms to the emissions testing requirements of 20.2.72.210.C NMAC and of 40 CFR 60.8(e), which is imposed under the authority of 20.2.72.210.C.4 NMAC.

15. Unless stated otherwise in this permit or another applicable regulation, pipeline quality natural gas shall be defined as a naturally occurring fluid mixture of hydrocarbons that contains 20.0 grains or less of total sulfur per 100 standard cubic feet (SCF) and is either composed of at least 70% methane by volume or has a gross calorific value of between 950 and 1100 Btu per standard cubic foot.

16. *"Daylight"* is defined as the time period between sunrise and sunset, as defined by the Astronomical Applications Department of the U.S. Naval Observatory. (Data for one day or a table of sunrise/sunset for an entire year can be obtained at http://aa.usno.navy.mil/. Alternatively, these times can be obtained from a Farmers Almanac or from http://www.almanac.com/rise/).

ADDITIONAL REQUIREMENTS

Applications for permit revisions and modifications shall be submitted to:

Program Manager, Permits Section
New Mexico Environment Department
Air Quality Bureau
1301 Siler
Santa Fe, New Mexico 87507-3113

Compliance test protocols, regularly scheduled reports, a copy of the test results, and excess emission reports, shall be submitted to:

Program Manager, Compliance and Enforcement Section
New Mexico Environment Department
Air Quality Bureau
PO Box 26110
Santa Fe, New Mexico 87502-0110

REVOCATION

The Department may revoke this permit if the applicant or permittee has knowingly and willfully misrepresented a material fact in the application for the permit. Revocation will be made in writing, and an administrative appeal may be taken to the Secretary of the Department within thirty (30) days.

Appeals will be handled in accordance with the Department's Rules Governing Appeals From Compliance Orders.

APPEAL PROCEDURES

20.2.72.207.F NMAC provides that any person who participated in a permitting action before the Department and who is adversely affected by such permitting action, may file a petition for hearing before the Environmental Improvement Board. The petition shall be made in writing to the Environmental Improvement Board within thirty (30) days from the date notice is given of the Department's action and shall specify the portions of the permitting action to which the petitioner objects, certify that a copy of the petition has been mailed or hand-delivered and attach a copy of the permitting action for which review is sought. Unless a timely request for hearing is made, the decision of the Department shall be final. The petition shall be copied simultaneously to the Department upon receipt of the appeal notice. If the petitioner is not the applicant or permittee, the petitioner shall mail or hand-deliver a copy of the petition to the applicant or permittee. The Department shall certify the administrative record to the board. Petitions for a hearing shall be sent to:

Environmental Improvement Board
1190 St. Francis Drive, Runnels Bldg.
P.O. Box 26110
Santa Fe, New Mexico 87502