



DEC 23 2011

Ms. Melinda Hicks
Kern Oil and Refining Company
7724 E Panama Lane
Bakersfield, CA 93307

**Re: Final - Authority to Construct / COC (Significant Mod)
District Facility # S-37
Project # 1114091**

Dear Ms. Hicks:

The Air Pollution Control Officer has issued Authorities to Construct (S-37-1-13 and '7-5) with Certificates of Conformity to Kern Oil and Refining Company at 7724 East Panama Lane in Bakersfield. The Authorities to Construct are to install equipment needed to comply with the flare SO2 requirements of Rule 4311.

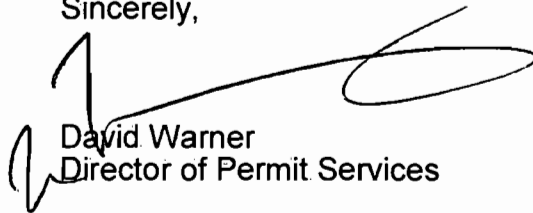
Enclosed are the Authorities to Construct. The application and proposal were sent to US EPA Region IX on November 18, 2011. No comments were received following the District's preliminary decision on this project.

The notice of final decision for this project will be published approximately three days from the date of this letter.

Prior to operating with modifications authorized by the Authority to Construct, you must submit an application to modify the Title V permit as an administrative amendment in accordance with District Rule 2520, Section 11.5.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Leonard Scandura, Permit Services Manager, at (661) 392-5500.

Sincerely,



David Warner
Director of Permit Services

DW: DBT/cm

Enclosures

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585



DEC 23 2011

Gerardo C. Rios, Chief
Permits Office
Air Division
U.S. EPA - Region IX
75 Hawthorne St
San Francisco, CA 94105

**Re: Final - Authority to Construct / COC (Significant Mod)
District Facility # S-37
Project # 1114091**

Dear Mr. Rios:

The Air Pollution Control Officer has issued Authorities to Construct (S-37-1-13 and '7-5) with Certificates of Conformity to Kern Oil and Refining Company at 7724 East Panama Lane in Bakersfield. The Authorities to Construct are to install equipment needed to comply with the flare SO2 requirements of Rule 4311.

Enclosed is a copy of the Authorities to Construct. The application and proposal were sent to US EPA Region IX on November 18, 2011. No comments were received following the District's preliminary decision on this project.

The notice of final decision for this project will be published approximately three days from the date of this letter.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Leonard Scandura, Permit Services Manager, at (661) 392-5500.

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David Warner
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DEC 23 2011

Mike Tollstrup, Chief
Project Assessment Branch
Air Resources Board
P O Box 2815
Sacramento, CA 95812-2815

**Re: Final - Authority to Construct / COC (Significant Mod)
District Facility # S-37
Project # 1114091**

Dear Mr. Tollstrup:

The Air Pollution Control Officer has issued Authorities to Construct (S-37-1-13 and '7-5) with Certificates of Conformity to Kern Oil and Refining Company at 7724 East Panama Lane in Bakersfield. The Authorities to Construct are to install equipment needed to comply with the flare SO2 requirements of Rule 4311.

Enclosed is a copy of the Authorities to Construct. The application and proposal were sent to US EPA Region IX on November 18, 2011. No comments were received following the District's preliminary decision on this project.

The notice of final decision for this project will be published approximately three days from the date of this letter.

Thank you for your cooperation in this matter. If you have any questions, please contact Mr. Leonard Scandura, Permit Services Manager, at (661) 392-5500.

Sincerely,


David Warner
Director of Permit Services

DW: DBT/cm

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**NOTICE OF FINAL DECISION
FOR THE ISSUANCE OF AUTHORITY TO CONSTRUCT AND
THE PROPOSED SIGNIFICANT MODIFICATION OF FEDERALLY
MANDATED OPERATING PERMIT**

NOTICE IS HEREBY GIVEN that the San Joaquin Valley Air Pollution Control District has made its final decision to issue Authorities to Construct to Kern Oil and Refining Company for Oil Refinery located at 7724 East Panama Lane in Bakersfield, California. The Authorities to Construct are to install equipment needed to comply with the flare SO₂ requirements of Rule 4311.

The District's analysis of the legal and factual basis for this proposed action, project #1114091, is available for public inspection at the District office at the address below. For additional information regarding this matter, please contact Mr. Leonard Scandura, Permit Services Manager, at (661) 392-5500, or contact David Warner, Director of Permit Services, in writing at SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT, 1990 E. GETTYSBURG AVE, FRESNO, CA 93726-0244.



AUTHORITY TO CONSTRUCT

PERMIT NO: S-37-1-13

ISSUANCE DATE: 12/21/2011

LEGAL OWNER OR OPERATOR: KERN OIL & REFINING CO.

MAILING ADDRESS: 7724 E PANAMA LANE
BAKERSFIELD, CA 93307-9210

LOCATION: PANAMA LN & WEEDPATCH HWY
BAKERSFIELD, CA 93307-9210

SECTION: 25 **TOWNSHIP:** 30S **RANGE:** 28E

EQUIPMENT DESCRIPTION:

MODIFICATION OF 120 MMBTU/HR CRUDE UNIT INCLUDING 2 DESALTERS, 4 FRACTIONATION VESSELS, STRIPPER, 2 ACCUMULATORS, DEPROPANIZER, KNOCKOUT DRUM SCRUBBER, 60 MMBTU/HR TULSA HEATERS INC. PROCESS HEATER, 60 MMBTU/HR BORN HEATER AND 15 HEAT EXCHANGERS: ADD ONE 150 HP PRIMARY OVHD COMPRESSOR PACKAGE (SKID C-02), ONE 150 HP SECONDARY COMPRESSOR PACKAGE (SKID C-03), REMOVE COMPRESSOR C-01 AND ONE DESALTER DRUM, CORRECT NUMBER TO HEAT EXCHANGERS TO 35 AND CHANGE NAME OF "DEPROPANIZER" TO "LIGHT NAPHTHA STABILIZER"

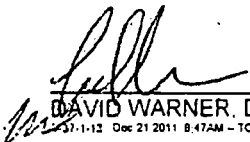
CONDITIONS

1. This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201] Federally Enforceable Through Title V Permit
2. Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. Particulate matter emissions shall not exceed 0.1 grain/dscf. Emissions of combustion contaminants shall not exceed 0.1 grain per cubic foot of gas calculated to 12% CO2 at dry standard conditions. Emissions of combustion contaminants shall not exceed ten (10) pounds per hour. [District Rules 4201, 3.1 and 4301, 5.1 and 5.2.3] Federally Enforceable Through Title V Permit
4. Emissions of sulfur compounds from this unit shall not exceed 200 lb per hour, calculated as SO2. [District Rule 2520, 9.3.2 and District Rule 4301, 5.2.1] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (661) 392-5500 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APCO



DAVID WARNER, Director of Permit Services

S-37-1-12 Dec 21 2011 8:47AM - TORID : Joint Inspection NOT Required

5. The duration of each startup and shutdown period of the 60 MMBtu/hr Born heater and 60 MMBtu Tulsa heater shall not exceed 9.7 hours and 6.4 hours respectfully. Emission limits of District Rules 4305 and 4306 shall be waived during periods of startup and shutdown. [District Rules 4305, Section 5.5.6, District Rule 4306 Section 5.3] Federally Enforceable Through Title V Permit
6. The emission control systems shall be in operation and emissions shall be minimized insofar as technologically feasible during startup and shutdown. [District Rules 4305, 5.5.6.2, and 4306, 5.3.2] Federally Enforceable Through Title V Permit
7. Crude unit heaters shall be fired solely on treated refinery fuel gas or purchased natural gas. [District NSR Rule] Federally Enforceable Through Title V Permit
8. Refinery fuel gas supply shall be equipped with continuous H₂S monitor meeting the requirements of NSPS Subpart J. [District Rule 4001] Federally Enforceable Through Title V Permit
9. Sulfur content of refinery fuel gas burned in crude unit heaters shall not to exceed 100 ppmv (as H₂S). [District NSR Rule] Federally Enforceable Through Title V Permit
10. Sulfur content of natural gas burned in crude unit heaters shall not exceed 1 gr S/100 scf (16.9 ppmv H₂S). [District NSR Rule] Federally Enforceable Through Title V Permit
11. The concentration of sulfur compounds in the exhaust from this unit shall not exceed 0.2% by volume as measured on a dry basis over a 15 minute period. [District Rule 2520, 9.3.2; Kern County Rule 407, District Rule 4801] Federally Enforceable Through Title V Permit
12. Except for components subject to Rule 4623 (Storage of Organic Liquids) or for components included in the inspection and maintenance (I&M) program implemented pursuant to Section 5.7 of Rule 4623, the operator shall not use any component that leaks in excess of the allowable leak standards of Rule 4455, or is found to be in violation of the provisions specified in Section 5.1.3. A component identified as leaking in excess of an allowable leak standard may be used provided it has been identified with a tag for repair, has been repaired, or is awaiting re-inspection after repair, within the applicable time period specified within the rule. [District Rule 4455, 5.1.1] Federally Enforceable Through Title V Permit
13. Each hatch shall be closed at all times except during sampling or adding of process material through the hatch, or during attended repair, replacement, or maintenance operations, provided such activities are done as expeditiously as possible and with minimal spillage of material and VOC emissions to the atmosphere. [District Rule 4455, 5.1.2] Federally Enforceable Through Title V Permit
14. The operator shall be in violation of Rule 4455 if any District inspection demonstrates that one or more of the conditions in Section 5.1.4 (Leak Standards) exist at the facility. [District Rule 4455, 5.1.3.1] Federally Enforceable Through Title V Permit
15. Except for annual operator inspection described in Section 5.1.3.2.3, any operator inspection that demonstrates that one or more of the conditions in Section 5.1.4 exist at the facility shall not constitute a violation of Rule 4455 if the leaking components are repaired as soon as practicable but not later than the time frame specified in Rule 4455. Such components shall not be counted towards determination of compliance with the provisions of Section 5.1.4. [District Rule 4455, 5.1.3.2.1] Federally Enforceable Through Title V Permit
16. Leaking components detected during operator inspection pursuant Section 5.1.3.2.1 that are not repaired, replaced, or removed from operation as soon as practicable but not later than the time frame specified in Rule 4455 shall be counted toward determination of compliance with the provisions of Section 5.1.4. [District Rule 4455, 5.1.3.2.2] Federally Enforceable Through Title V Permit
17. Any operator inspection conducted annually for a component type (including operator annual inspections pursuant to Section 5.2.5, 5.2.6, 5.2.7, or 5.2.8) that demonstrates one or more of the conditions in Section 5.1.4 exist at the facility shall constitute a violation of Rule 4455 regardless of whether or not the leaking components are repaired, replaced, or removed from operation within the allowable repair time frame specified in Rule 4455. [District Rule 4455, 5.1.3.2.3] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

18. A component shall be considered leaking if one or more of the conditions specified in Sections 5.1.4.1 through 5.1.4.4 of Rule 4455 exist at the facility. Readings shall be taken as methane using a portable hydrocarbon detection instrument and shall be made in accordance with the methods specified in Section 6.4.1 of Rule 4455. [District Rule 4455, 5.1.4] Federally Enforceable Through Title V Permit
19. The operator shall audio-visually inspect for leaks all accessible operating pumps, compressors and Pressure Relief Devices (PRDs) in service at least once every 24 hours, except when operators do not report to the facility for that given 24 hours. Any identified leak that cannot be immediately repaired shall be reinspected within 24 hours using a portable analyzer. If a leak is found, it shall be repaired as soon as practical but not later than the time frame specified in Table 3. [District Rule 4455, 5.2.1 & 5.2.2] Federally Enforceable Through Title V Permit
20. The operator shall inspect all components at least once every calendar quarter, except for inaccessible components, unsafe-to-monitor components and pipes. Inaccessible components, unsafe-to-monitor components and pipes shall be inspected in accordance with the requirements set forth in Sections 5.2.5, 5.2.6, and 5.2.7. New, replaced, or repaired fittings, flanges and threaded connections shall be inspected immediately after being placed into service. Components shall be inspected using EPA Method 21. [District Rule 4455, 5.2.3, 5.2.4, 5.2.5, 5.2.6 & 5.2.7] Federally Enforceable Through Title V Permit
21. The operator may apply for a written approval from the APCO to change the inspection frequency from quarterly to annually for a component type, provided the operator meets all the criteria specified in Sections 5.2.8.1 through 5.2.8.3. This approval shall apply to accessible component types, specifically designated by the APCO, except pumps, compressors, and PRDs which shall continue to be inspected on a quarterly basis. [District Rule 4455, 5.2.8] Federally Enforceable Through Title V Permit
22. An annual inspection frequency approved by the APCO shall revert to quarterly inspection frequency for a component type if either the operator inspection or District inspection demonstrates that a violation of the provisions of Sections 5.1, 5.2 and 5.3 of the rule exists for that component type, or the APCO issued a Notice of Violation for violating any of the provisions of Rule 4455 during the annual inspection period for that component type. When the inspection frequency changes from annual to quarterly inspections, the operator shall notify the APCO in writing within five (5) calendar days after changing the inspection frequency, giving the reason(s) and date of change to quarterly inspection frequency. [District Rule 4455, 5.2.9 & 5.2.10] Federally Enforceable Through Title V Permit
23. The operator shall initially inspect a process PRD that releases to the atmosphere as soon as practicable but not later than 24 hours after the time of the release. To insure that the process PRD is operating properly, and is leak-free, the operator shall re-inspect the process PRD not earlier than 24 hours after the initial inspection but not later than 15 calendar days after the date of the release using EPA Method 21. If the process PRD is found to be leaking at either inspection, the PRD leak shall be treated as if the leak was found during quarterly operator inspections. [District Rule 4455, 5.2.11] Federally Enforceable Through Title V Permit
24. Except for process PRD, a component shall be inspected within 15 calendar days after repairing the leak or replacing the component using EPA Method 21. [District Rule 4455, 5.2.12] Federally Enforceable Through Title V Permit
25. A District inspection in no way fulfills any of the mandatory inspection requirements that are placed upon operators and cannot be used or counted as an inspection required of an operator. Any attempt by an operator to count such District inspections as part of the mandatory operator's inspections is considered to be willful circumvention and is a violation of this rule. [District Rule 4455, 5.2.13] Federally Enforceable Through Title V Permit
26. Upon detection of a leaking component, the operator shall affix to that component a weatherproof readily visible tag that contains the information specified in Section 5.3.3. The tag shall remain affixed to the component until the leaking component has been repaired or replaced; has been re-inspected using EPA Method 21; and is found to be in compliance with the requirements of Rule 4455. [District Rule 4455, 5.3.1 5.3.2 and 5.3.3] Federally Enforceable Through Title V Permit
27. An operator shall minimize all component leaks immediately to the extent possible, but not later than one (1) hour after detection of leaks in order to stop or reduce leakage to the atmosphere. [District Rule 4455, 5.3.4] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

28. If the leak has been minimized but the leak still exceeds the applicable leak standards of Rule 4455, an operator shall repair or replace the leaking component, vent the leaking component to a closed vent system, or remove the leaking component from operation as soon as practicable but not later than the time period specified in Table 3. For each calendar quarter, the operator may be allowed to extend the repair period as specified in Table 3, for a total number of leaking components, not to exceed 0.05 percent of the number of components inspected, by type, rounded upward to the nearest integer where required. [District Rule 4455, 5.3.5] Federally Enforceable Through Title V Permit
29. If the leaking component is an essential component or a critical component and which cannot be immediately shut down for repairs, the operator shall minimize the leak within one hour after detection of the leak. If the leak has been minimized, but the leak still exceeds any of the applicable leak standards of Rule 4455, the essential component or critical component shall be repaired or replaced to eliminate the leak during the next process unit turnaround, but in no case later than one year from the date of the original leak detection, whichever comes earlier. [District Rule 4455 5.3.6] Federally Enforceable Through Title V Permit
30. For any component that has incurred five repair actions for major gas leaks or major liquid leaks, or any combination of major gas leaks and major liquid leaks within a continuous 12-month period, the operator shall comply with at least one of the requirements specified in Sections 5.3.7.1, 5.3.7.2, 5.3.7.3, or 5.3.7.4 by the applicable deadlines specified in Sections 5.3.7.5 and 5.3.7.6. If the original leaking component is replaced with a new like-in-kind component before incurring five repair actions for major leaks within 12-consecutive months, the repair count shall start over for the new component. An entire compressor or pump need not be replaced provided the compressor part(s) or pump part(s) that have incurred five repair actions as described in Section 5.3.7 are brought into compliance with at least one of the requirements of Sections 5.3.7.1 through 5.3.7.6. [District Rule 4455, 5.3.7] Federally Enforceable Through Title V Permit
31. The operator shall monitor process PRD by using electronic process control instrumentation that allows for real time continuous parameter monitoring or by using telltale indicators for the process PRD where parameter monitoring is not feasible. [District Rule 4455, 5.4.1] Federally Enforceable Through Title V Permit
32. After a release from a process PRD in excess of 500 pounds of VOC in a continuous 24-hour period, the operator shall immediately conduct a failure analysis and implement corrective actions as soon as practicable but not later than 30 days to prevent the reoccurrence of similar release. For refineries processing greater than 20,000 barrels of crude oil per day, any subsequent release in excess of 500 pounds of VOC within a continuous 24-hour period shall be subject to the requirements of Section 5.4.5. [District Rule 4455, 5.4.3 & 5.4.4] Federally Enforceable Through Title V Permit
33. The operator of a refinery processing greater than 20,000 barrels of crude oil per day shall connect all process PRDs serving that process equipment to an APCO-approved closed vent system as defined in Section 3.0 if any of the conditions specified in Sections 5.4.5.1 and 5.4.5.2 occurs. Process PRDs subject to the provisions of Section 5.4.5 shall be connected to an APCO-approved closed-vent system as soon as practicable, but no later than the first turnaround after the requirement to connect becomes effective. [District Rule 4455, 5.4.5] Federally Enforceable Through Title V Permit
34. All major components and critical components shall be physically identified clearly and visibly for inspection, repair, and recordkeeping purposes. The physical identification shall consist of labels, tags, manufacturer's nameplate identifier, serial number, or model number, or other system approved by the APCO that enables an operator or District personnel to locate each individual component. The operator shall replace tags or labels that become missing or unreadable as soon as practicable but not later than 24 hours after discovery. The operator shall comply with the requirements of Sections 6.1.4 if there is any change in the description of major components or critical components. [District Rule 4455, 5.5.1 & 5.5.2] Federally Enforceable Through Title V Permit
35. The operator shall keep a copy of the operator management plan at the facility and make it available to the APCO, ARB and US EPA upon request. By January 30 of each year, the operator shall submit to the APCO for approval, in writing, an annual report indicating any changes to the existing, approved operator management plan. [District Rule 4455, 6.1.2 & 6.1.4] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

36. The operator shall maintain an inspection log containing, at a minimum, 1) total number of components inspected, and total number and percentage of leaking components found by component types, 2) location, type, name or description of each leaking component, and description of any unit where the leaking component is found, 3) date of leak detection and method of leak detection, 4) for gaseous leaks, record the leak concentration in ppmv, and for liquid leaks record whether the leak is a major liquid leak or a minor liquid leak, 5) date of repair, replacement, or removal from operation of leaking components, 6) identification and location of essential component and critical components found leaking that cannot be repaired until the next process unit turnaround or not later one year after leak detection, whichever comes earlier, 7) methods used to minimize the leak from essential components and critical components that cannot be repaired until the next process unit turnaround or not later one year after leak detection, whichever comes earlier, 8) after the component is repaired or is replaced, the date of reinspection and the leak concentration in ppmv, 9) inspector's name, business mailing address, and business telephone number, and 10) the facility operator responsible for the inspection and repair program shall sign and date the inspection log certifying the accuracy of the information recorded in the log. [District Rule 4455, 6.2.1] Federally Enforceable Through Title V Permit
37. Records of each calibration of the portable hydrocarbon detection instrument utilized for inspecting components, including a copy of current calibration gas certification from the vendor of said calibration gas cylinder, the date of calibration, concentration of calibration gas, analyzer reading of calibration gas before adjustment, instrument reading of calibration gas after adjustment, calibration gas expiration date, and calibration gas cylinder pressure at the time of calibration. [District Rule 4455, 6.2.3] Federally Enforceable Through Title V Permit
38. The operator shall notify the APCO, by telephone or other methods approved by the APCO, of any process PRD release described in Sections 5.4.4 and 5.4.5, and any release in excess of the reportable quantity limits as stipulated in 40 CFR, Part 117, Part 302 and Part 355, including any release in excess of 100 pounds of VOC, within one hour of such occurrence or within one hour of the time said person knew or reasonably should have known of its occurrence. [District Rule 4455, 6.3.1] Federally Enforceable Through Title V Permit
39. The operator shall submit a written report to the APCO within thirty (30) calendar days following a PRD release subject to 6.3.1. The written report shall include 1) process PRD type, size, and location, 2) date, time and duration of the process PRD release, 3) types of VOC released and individual amounts, in pounds, including supporting calculations, 4) cause of the process PRD release, and 5) corrective actions taken to prevent a subsequent process PRD release. [District Rule 4455 6.3.2] Federally Enforceable Through Title V Permit
40. Copies of all records shall be retained for a minimum of five (5) years after the date of an entry. Such records shall be made available to the APCO, ARB, or US EPA upon request. [District Rule 4455, 6.2.2, 6.2.3 & 6.2.4] Federally Enforceable Through Title V Permit
41. Measurements of gaseous leak concentrations shall be conducted according to US EPA Method 21 using an appropriate portable hydrocarbon detection instrument calibrated with methane. The instrument shall be calibrated in accordance with the procedures specified in US EPA Method 21 or the manufacturer's instruction, as appropriate, not more than 30 days prior to its use. The operator shall record the calibration date of the instrument. [District Rule 4455, 6.4.1] Federally Enforceable Through Title V Permit
42. The VOC content of exempt streams shall be determined using American Society of Testing and Materials (ASTM) D 1945 for gases and South Coast Air Quality Management District (SCAQMD) Method 304-91 for liquids. [District Rule 4455, 6.4.2] Federally Enforceable Through Title V Permit
43. For exempt streams, the percent by volume liquid evaporated at 150 deg C shall be determined using ASTM D 86. [District Rule 4455, 6.4.3] Federally Enforceable Through Title V Permit
44. Equivalent test methods other than specified in Sections 6.4.1 through 6.4.5 may be used provided such test methods have received prior approval from the US EPA, ARB, and APCO. [District Rule 4455, 6.4] Federally Enforceable Through Title V Permit
45. Each owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of 40 CFR 60.482-3a for all equipment within 180 days of initial startup. [40 CFR 60.482-1a(a)]
46. Compliance with 40 CFR 60.482-3a shall be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in 40 CFR 60.485a. [40 CFR 60.482-1a(b)]
47. An owner or operator may request a determination of equivalence of a means of emission limitation to the requirements of 40 CFR 60.482-3a as provided in 40 CFR 60.484a. [40 CFR 60.482-1a(c)(1)]

CONDITIONS CONTINUE ON NEXT PAGE

48. If the Administrator makes a determination that a means of emission limitation is at least equivalent to the requirements of 40 CFR 60.482-3a, an owner or operator shall comply with the requirements of that determination. [40 CFR 60.482-1a(c)(2)]
49. Equipment that is in vacuum service is excluded from the requirements of 40 CFR 60.482-3a if it is identified as required in 40 CFR 60.486a(e)(5). [40 CFR 60.482-1a(d)]
50. Unless exempt under 40 CFR 60.482-3a, each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except as provided in 40 CFR 60.482-3a(h) and (i). The barrier fluid system shall be in heavy liquid service or shall not be in VOC service. Each compressor shall be operated and equipped as specified in 40 CFR 60.482-3a(b)(1), (2), or (3). [40 CFR 60.482-3a(a), (b), and (c)]
51. Any compressor that is designated, as described in 40 CFR 60.486a(e)(1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the requirements of 40 CFR 60.482-3a(a) through (h) if the compressor meets the requirements specified in 40 CFR 60.482-3a(i)(1) and (2). [40 CFR 60.482-3a(i), and District Rule 2201]
52. Any existing reciprocating compressor in a process unit which becomes an affected facility under the provisions of 40 CFR 60.14 or 40 CFR 60.15 is exempt from 40 CFR 60.482a(a), (b), (c), (d), (e), and (h), provided the owner or operator demonstrates that recasting the distance piece or replacing the compressor are the only options available to bring the compressor into compliance with the provisions of 40 CFR 60.482-3a(a), (b), (c), (d), (e), and (h). [40 CFR 60.593a(c)]
53. For valves and connectors associated with compressor skids C-02 and C-03, a leak shall be defined as a reading of methane in excess of 100 ppmv above background when measured per EPA Method 21. For pump and compressor seals associated with compressor skids C-02 and C-03, a leak shall be defined as a reading of methane in excess of 500 ppmv above background when measure per EPA Method 21. [District Rule 2201] Federally Enforceable Through Title V Permit
54. VOC emission rate from fugitive components associated with compressor skids C-02 and C-03 shall not exceed 10.5 lb/day. [District Rule 2201] Federally Enforceable Through Title V Permit
55. Permit holder shall maintain accurate component count for compressor skids C-02 and C-03 and resultant emissions according to CAPCOA's "California Implementation Guidelines for Estimating Mass Emissions of Fugitive Hydrocarbon Leaks at Petroleum Facilities," Table IV-3a (Feb 1999), Correlation Equations Method. Permit holder shall update such records when new components are approved and installed. Components shall be screened and leak rate shall be measured in accordance with the frequency of inspection specified in Rule 4455. [District Rule 2201] Federally Enforceable Through Title V Permit
56. 60 MM Btu/hr Tulsa Heaters Inc. process heater shall be equipped with eight Caldius LE-CSG-8W low NOx burners, each having a maximum heat release of 8.18 MM BTU/HR. Heater shall be fired exclusively on PUC or FERC regulated natural gas or refinery fuel gas. [District NSR Rule] Federally Enforceable Through Title V Permit
57. 60 MMBtu/hr Born heater shall be equipped with John Zink PSMR-19 low NOx burners and shall be fired exclusively on PUC or FERC regulated natural gas or refinery fuel gas. [District NSR Rule, District Rules 4305, 4306 and 4351] Federally Enforceable Through Title V Permit
58. Tulsa Heaters Inc. process heater emission rates shall not exceed NOx: 30 ppmv @ 3% O2 or 0.036 lb/MMBtu, CO: 239 ppmvd @ 3% O2, VOC: 0.0026 lb/MMBtu, PM10: 0.014 lb/MMBtu, and SOx: 0.0167 lb SO2/MMBtu. [District Rule 2201, District Rule 4351 5.1, District Rule 4305, 5.1 and 5.3, District Rule 4306, District Rule 4301 and Kern County Rule 408] Federally Enforceable Through Title V Permit
59. Born process heater emission rates shall not exceed NOx (as NO2) 30 ppmv @ 3% O2 or .036 lb/MMBtu, CO: 239 ppmvd @ 3% O2, VOC: 0.0026 lb/MMBtu, PM10: 0.014 lb/MMBtu, and SOx: 0.0167 lb SO2/MMBtu. [District NSR Rule, District Rules 4351 5.1, 4305, 5.1 and 5.3, District Rule 4306, District Rule 4301 and Kern County Rule 408] Federally Enforceable Through Title V Permit
60. Heat input to Tulsa Heater Inc. process heater shall not exceed 60 MM Btu/hr (hhv), as measured on an annual average basis. [District NSR Rule] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

61. Permittee shall demonstrate compliance with the heat input limit of Tulsa Heaters Inc. process heater by maintaining records of hhv of fuel burned and of the cumulative annual fuel use (scf/yr). Records shall be kept for a period of five years and shall be made readily available for District inspection upon request. [District NSR Rule] Federally Enforceable Through Title V Permit
62. For each heater, stack concentrations of NO_x (as NO₂), CO, and O₂ shall be measured at least on a monthly basis using District approved portable analyzers. In-stack O₂ monitors are acceptable for O₂ measurement. [District Rules 4305, 4306, and 4351] Federally Enforceable Through Title V Permit
63. If the NO_x or CO concentrations, as measured by the portable analyzer, exceed the allowable emissions rate, the permittee shall notify the District and return the NO_x and CO concentrations to the allowable emissions rate as soon as possible but no longer than one (1) hour after detection. If the portable analyzer readings continue to exceed the allowable emissions rate after one hour, the permittee shall conduct an emissions test within 60 days, utilizing District approved test methods, to determine compliance with the applicable emissions limits. [District Rules 4305, 4306, and 4351] Federally Enforceable Through Title V Permit
64. The portable analyzer shall be calibrated prior to each use with a two-point calibration method (zero and span). Calibration shall be performed with certified calibration gases. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
65. The permittee shall maintain records of the date and time of NO_x, CO, and O₂ measurements, the measured NO₂ and CO concentrations corrected to 3% O₂, and the O₂ concentration. The records must also include a description of any corrective action taken to maintain the emissions within an acceptable range. [District Rules 4305, 4306, and 4351] Federally Enforceable Through Title V Permit
66. Operator shall perform annual source testing for NO_x (ppmv) according to EPA Method 7E (or ARB Method 100), stack gas oxygen by EPA Method 3 or 3A (or ARB Method 100), NO_x emission rate (heat input basis) by EPA Method 19, CO by EPA method 10 or ARB method 100, stack gas velocities by EPA Method 2, and stack gas moisture content by EPA Method 4. [District Rule 4305, 6.2.2, 6.2.4-7 and 4351, 6.2.2 & 6.2.4-7, & 6.3, District Rule 4306] Federally Enforceable Through Title V Permit
67. Nitrogen oxide (NO_x) emission concentrations in ppmv shall be referenced at dry stack gas conditions, and shall be calculated to 3.00 percent by volume stack gas oxygen and averaged over 60 minutes, and lb/MMBtu rates shall be calculated as lb NO₂/MMBtu of heat input (hhv). [District Rule 4305, 5.0, 8.2, District Rule 4306, and/or 4351, 8.1] Federally Enforceable Through Title V Permit
68. During the source test, emissions for these units shall be calculated using the arithmetic mean, pursuant to District Rule 1081 (Amended December 16, 1993), of 3 thirty-minute test runs for NO_x and CO. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
69. Compliance source testing shall be conducted under conditions representative of normal operation. [District Rule 1081] Federally Enforceable Through Title V Permit
70. Exhaust stack shall be equipped with adequate provisions facilitating the collection of gas samples consistent with EPA Test Methods. [District Rule 1081] Federally Enforceable Through Title V Permit
71. Source testing to measure NO_x and CO emissions shall be conducted at least once every 12 months, except as provided below. [District Rules 4305, 4306 and 4351] Federally Enforceable Through Title V Permit
72. Source testing to measure NO_x and CO emissions shall be conducted not less than once every 36 months if compliance is demonstrated on two consecutive annual tests. [District Rules 4305, 4306, and 4351] Federally Enforceable Through Title V Permit
73. If permittee fails any compliance demonstration for NO_x or CO emission limits when testing not less than once every 36 months, compliance with NO_x and CO emission limits shall be demonstrated not less than once every 12 months. [District Rules 4305, 4306, and 4351] Federally Enforceable Through Title V Permit
74. Compliance demonstration (source testing) shall be by District witnessed, or authorized, sample collection by ARB certified testing laboratory. [District Rule 1081] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

75. Source testing shall be conducted using the methods and procedures approved by the District. The District must be notified 30 days prior to any compliance source test, and a source test plan must be submitted for approval 15 days prior to testing. [District Rule 1081] Federally Enforceable Through Title V Permit
76. The results of each source test shall be submitted to the District within 60 days thereafter. [District Rule 1081] Federally Enforceable Through Title V Permit
77. Annual test results submitted to the District from unit(s) representing a group of units may be used to demonstrate compliance with NOx limits of this permit for that group, provided the selection of the representative unit(s) is approved by the APCO prior to testing. Should any of the representative units exceed the required NOx emission limits of this permit, each of the units in the group shall demonstrate compliance by emissions testing within 90 days of the failed test. (This requirement shall not supersede a more stringent NSR or PSD permit testing requirement.) [District Rules 4305, 6.3.2, 4306, and 4351, 6.3] Federally Enforceable Through Title V Permit
78. The following conditions must be met for representative unit(s) to be used to demonstrate compliance for NOx limits for a group of units: 1) all units are initially source tested and emissions from each unit in group are less than 90% of the permitted value and vary 25% or less from the average of all runs, 2) all units in group are similar in terms of rated heat input (rating not to exceed 100 MMBtu/hr), make and series, operation conditions, and control method, and 3) the group is owned by a single owner and located at a single stationary source. [District Rules 2520, 9.3.2, 4305, 6.3.2, and 4306] Federally Enforceable Through Title V Permit
79. All units in a group for which representative units are source tested to demonstrate compliance for NOx limits of this permit shall have received the same maintenance and tune-up procedures as the representative unit(s). These tune-up procedures shall be completed according to District Rule 4304 (Adopted October 19, 1995) and tune-up test results shall show comparable results for each unit in the group. Records shall be maintained for the each unit of the group including all preventative and corrective maintenance work done. [District Rules 2520, 9.4.2, 4305, 6.3.2, and 4306] Federally Enforceable Through Title V Permit
80. All units in a group for which representative units are source tested to demonstrate compliance for NOx limits of this permit shall be fired on the same fuel type during the entire compliance period. If a unit switches for any time to an alternate fuel type (e.g. from natural gas to refinery gas) then that unit shall not be considered part of the group and shall be required to undergo a source test for all fuel types used, within one year of the switch. [District Rules 2520, 9.3.2, 4305, 6.3.2, and 4306] Federally Enforceable Through Title V Permit
81. The number of representative units source tested to demonstrate compliance for NOx limits shall be at least 30% of the total number of units in the group. The units included in the 30% shall be rotated, so that in 3 years, all units in the entire group will have been tested at least once. [District Rule 2520, 9.3.2] Federally Enforceable Through Title V Permit
82. Copies of all purchased fuel invoices, gas purchase contract, supplier certifications, and test results to determine compliance with the conditions of this permit shall be maintained. Operator shall record daily amount and type(s) of fuel(s) combusted and all dates on which unit is fired on any noncertified fuel [District Rule 2520, 9.4.2 and 40 CFR 60.48c(g)] Federally Enforceable Through Title V Permit
83. Draeger tubes shall be used as an alternative method for measuring fuel gas H2S during scheduled maintenance or unscheduled interruptions of CEMs. Draeger tube use shall be limited to no more than 96 continuous hours and fuel gas H2S shall be checked a minimum of every two hours during scheduled maintenance or unscheduled interruptions of CEMs. Alternate method of measuring fuel gas H2S shall occur no more than 192 hours in any calendar year. [40CFR60.13(i)] Federally Enforceable Through Title V Permit
84. Operator shall maintain all records of the reason for alternative monitoring and required fuel gas H2S monitoring data and support information for inspection at any time for a period of five years. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit
85. Operator shall maintain all records of required monitoring data and support information for inspection at any time for a period of five years. [District Rule 2520, 9.4.2] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

86. Pursuant to Rule 4320, beginning in 2010 the operator shall pay an annual emission fee to the District for NOx emissions from this unit for the previous calendar year. Payments are due by July 1 of each year. Payments shall continue annually until either the unit is permanently removed from service in the District or the operator demonstrates compliance with the applicable NOx emission limit listed in Rule 4320. [District Rule 4320] Federally Enforceable Through Title V Permit
87. Permittee shall maintain records of annual heat input (MMBtu) for this unit on a calendar year basis. Such records shall be maintained and retained on-site for a minimum of five (5) years, and shall be made available for District inspection upon request. [District Rules 1070 and Rule 4320] Federally Enforceable Through Title V Permit



AUTHORITY TO CONSTRUCT

PERMIT NO: S-37-7-5

ISSUANCE DATE: 12/21/2011

LEGAL OWNER OR OPERATOR: KERN OIL & REFINING CO.
MAILING ADDRESS: 7724 E PANAMA LANE
BAKERSFIELD, CA 93307-9210

LOCATION: PANAMA LN & WEEDPATCH HWY
BAKERSFIELD, CA 93307-9210

SECTION: 25 **TOWNSHIP:** 30S **RANGE:** 28E

EQUIPMENT DESCRIPTION:

MODIFICATION OF 112,500 BTU/HR FLARE WITH STEAM ASSIST: ADD KNOCKOUT POT V-19, PUMP P-07, AFTERCOOLER E-07, COMPRESSOR SKID C-03 INCLUDING COMPRESSOR, KNOCKOUT POT AND HEAT EXCHANGER; REMOVE AFTERCOOLER AND REVISE PRE-PROJECT EQUIPMENT DESCRIPTION TO INCLUDE JOHN ZINK STF-S-8 STEAM ASSIST FLARE WITH CONTINUOUS FLAME PILOTS, INCLUDING THE FOLLOWING GAS RECOVERY EQUIPMENT: ONE ELECTRIC DRIVEN GAS COMPRESSOR (100 HP), TWO KNOCKOUT POTS, ONE SEAL POT AND ONE HEAT EXCHANGER

CONDITIONS

1. This Authority to Construct serves as a written certificate of conformity with the procedural requirements of 40 CFR 70.7 and 70.8 and with the compliance requirements of 40 CFR 70.6(c). [District Rule 2201] Federally Enforceable Through Title V Permit
2. Prior to operating with modifications authorized by this Authority to Construct, the facility shall submit an application to modify the Title V permit with an administrative amendment in accordance with District Rule 2520 Section 5.3.4. [District Rule 2520, 5.3.4] Federally Enforceable Through Title V Permit
3. Visible emissions monitoring shall be conducted at least annually, using EPA Method 22. [40CFR 60.18(f)(1)] Federally Enforceable Through Title V Permit
4. The outlet shall be equipped with an automatic ignition system, or, shall operate with a pilot flame present at all times when combustible gases are vented through the flare, except during purge periods for automatic-ignition equipped flares. [District Rule 4311, 5.3 and 40CFR 60.18(f)(2)] Federally Enforceable Through Title V Permit

CONDITIONS CONTINUE ON NEXT PAGE

YOU MUST NOTIFY THE DISTRICT COMPLIANCE DIVISION AT (661) 392-5500 WHEN CONSTRUCTION IS COMPLETED AND PRIOR TO OPERATING THE EQUIPMENT OR MODIFICATIONS AUTHORIZED BY THIS AUTHORITY TO CONSTRUCT. This is NOT a PERMIT TO OPERATE. Approval or denial of a PERMIT TO OPERATE will be made after an inspection to verify that the equipment has been constructed in accordance with the approved plans, specifications and conditions of this Authority to Construct, and to determine if the equipment can be operated in compliance with all Rules and Regulations of the San Joaquin Valley Unified Air Pollution Control District. Unless construction has commenced pursuant to Rule 2050, this Authority to Construct shall expire and application shall be cancelled two years from the date of issuance. The applicant is responsible for complying with all laws, ordinances and regulations of all other governmental agencies which may pertain to the above equipment.

Seyed Sadredin, Executive Director / APCO

DAVID WARNER, Director of Permit Services

S-37-7-5 Dec 21 2011 8:47AM - TORIC Joint Inspection NOT Required

5. For valves and connectors associated with compressor skid C-03, flare gas suction K.O. pot V-19 and aftercooler E-07, a leak shall be defined as a reading of methane in excess of 100 ppmv above background when measured per EPA Method 21. For pump and compressor seals associated with compressor skid C-03 and pump P-07, a leak shall be defined as a reading of methane in excess of 500 ppmv above background when measured per EPA Method 21. [District Rule 2201] Federally Enforceable Through Title V Permit
6. VOC emission rate from fugitive components associated with compressor skid C-03, flare gas suction K.O. pot V-19, pump P-07 and aftercooler E-07 shall not exceed 8.9 lb/day. [District Rule 2201] Federally Enforceable Through Title V Permit
7. Permit holder shall maintain accurate component count and resultant emissions according to CAPCOA's "California Implementation Guidelines for Estimating Mass Emissions of Fugitive Hydrocarbon Leaks at Petroleum Facilities," Table IV-3a (Feb 1999), Correlation Equations Method. Permit holder shall update such records when new components are approved and installed. Components shall be screened and leak rate shall be measured in accordance with the frequency of inspection specified in Rule 4455. [District Rule 2201] Federally Enforceable Through Title V Permit
8. Except for flares equipped with a flow-sensing ignition system, a heat sensing device such as a thermocouple, ultraviolet beam sensor, infrared sensor, or an equivalent device, capable of continuously detecting at least one pilot flame or the flare flame is present shall be installed and operated. [District Rule 4311, 5.5 and 40CFR 60.18(f)(2)] Federally Enforceable Through Title V Permit
9. The flame shall be present at all times when combustible gases are vented through the flare. [District Rule 4311, 5.2 and 40CFR 60.18(c)(2)] Federally Enforceable Through Title V Permit
10. Flares that use flow-sensing automatic ignition systems and which do not use a continuous flame pilot shall use purge gas for purging. [District Rule 4311, 5.6] Federally Enforceable Through Title V Permit
11. Open flares in which the flare gas pressure is less than 5 psig shall be operated in such a manner that meets the provisions of 40 CFR 60.18. [District Rule 4311, 5.6] Federally Enforceable Through Title V Permit
12. The operator shall minimize flare sulfur dioxide emissions consistent with the requirements of section 5.9 of Rule 4311. [District Rule 4311, 5.9] Federally Enforceable Through Title V Permit
13. The operator shall monitor the vent gas flow to the flare with a flow measuring device. [District Rule 4311, 5.10] Federally Enforceable Through Title V Permit
14. The operator shall provide the APCO with access to the flare monitoring system to collect the vent gas samples. [District Rule 4311, 6.6.7] Federally Enforceable Through Title V Permit
15. The operator shall monitor the volumetric flows of the flare's purge and pilot gases with flow measuring devices or other parameters as specified on the Permit to Operate so that volumetric flows of pilot and purge gas may be calculated based on pilot design and the parameters monitored. [District Rule 4311, 6.7] Federally Enforceable Through Title V Permit
16. Upon request, the operator of flares that are subject to Section 5.6 shall make available, to the APCO, the compliance determination records that demonstrate compliance with the provisions of 40 CFR 60.18, (c)(3) through (c)(5). [District Rule 4311, 6.4.1] Federally Enforceable Through Title V Permit
17. The operator shall monitor and record the water level and pressure of the water seal that services the flare daily. [District Rule 4311, 6.8] Federally Enforceable Through Title V Permit

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18. The operator shall comply with the following, as applicable: (1) Periods of flare monitoring system inoperation greater than 24 continuous hours shall be reported by the following working day, followed by notification of resumption of monitoring. Periods of inoperation of monitoring equipment shall not exceed 14 days per any 18-consecutive-month period. Periods of flare monitoring system inoperation do not include the periods when the system feeding the flare is not operating; (2) During periods of inoperation of continuous analyzers or auto-samplers installed pursuant to Section 6.6, operators responsible for monitoring shall take one sample within 30 minutes of the commencement of flaring, from the flare header or from an alternate location at which samples are representative of vent gas composition and have samples analyzed pursuant to Section 6.3.4. During periods of inoperation of flow monitors required by Section 5.10, flow shall be calculated using good engineering practices; (3) Maintain and calibrate all required monitors and recording devices in accordance with the applicable manufacturer's specifications. In order to claim that a manufacturer's specification is not applicable, the person responsible for emissions must have, and follow, a written maintenance policy that was developed for the device in question. The written policy must explain and justify the difference between the written procedure and the manufacturer's procedure; (4) All in-line continuous analyzer and flow monitoring data must be continuously recorded by an electronic data acquisition system capable of one-minute averages. Flow monitoring data shall be recorded as one-minute averages. [District Rule 4311, 6.9] Federally Enforceable Through Title V Permit
19. The operator of a petroleum refinery flare shall install and maintain equipment that records a real-time digital image of the flare and flame at a frame rate of no less than one frame per minute. The recorded image of the flare shall be of sufficient size, contrast, and resolution to be readily apparent in the overall image or frame. The image shall include an embedded date and time stamp. The equipment shall archive the images for each 24-hour period. In lieu of video monitoring the operator may use an alternative monitoring method that provides data to verify date, time, vent gas flow, and duration of flaring events. [District Rule 4311, 6.10] Federally Enforceable Through Title V Permit
20. The operator shall notify the APCO of an unplanned flaring event within 24 hours after the start of the next business day or within 24 hours of their discovery, whichever ever occurs first. The notification shall include the flare source identification, the start date and time, and the end date and time. [District Rule 4311, 6.2.1] Federally Enforceable Through Title V Permit
21. Effective on and after July 1, 2012, and annually thereafter, the operator of a flare subject to flare minimization plans pursuant to Section 5.8 shall submit an annual report to the APCO that summarizes all Reportable Flaring Events that occurred during the previous 12 month period. A Reportable Flaring Event is any flaring where more than 500,000 standard cubic feet of vent gas is flared per calendar day, or where sulfur oxide emissions are greater than 500 pounds per calendar day. A reportable flaring event ends when it can be demonstrated by monitoring required in Section 6.8 that the integrity of the water seal has been maintained sufficiently to prevent vent gas to the flare tip. The report of all Reportable Flaring Events shall be submitted within 30 days following the end of the twelve month period of the previous year. The report shall include, but is not limited to all of the following: (1) The results of an investigation to determine the primary cause and contributing factors of the flaring event; (2) Any prevention measures considered or implemented to prevent recurrence together with a justification for rejecting any measures that were considered but not implemented; (3) If appropriate, an explanation of why the flaring was an emergency and necessary to prevent accident, hazard or release of vent gas to the atmosphere, or where, due to a regulatory mandate to vent a flare, it cannot be recovered, treated and used as a fuel gas at the facility; and (4) The date, time, and duration of the flaring event. [District Rule 4311, 6.2.2] Federally Enforceable Through Title V Permit

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22. Effective on and after July 1, 2012, and annually thereafter, the operator of a flare subject to flare monitoring requirements shall submit an annual report to the APCO within 30 days following the end of each 12 month period. The report shall include the following: (1) The total volumetric flow of vent gas in standard cubic feet for each day. (2) Hydrogen sulfide content, methane content, and hydrocarbon content of vent gas composition pursuant to Section 6.6. (3) If vent gas composition is monitored by a continuous analyzer or analyzers pursuant to Section 5.11, average total hydrocarbon content by volume, average methane content by volume, and depending upon the analytical method used pursuant to Section 6.3.4, total reduced sulfur content by volume or hydrogen sulfide content by volume of vent gas flared for each hour of the month. (4) If the flow monitor used pursuant to Section 5.10 measures molecular weight, the average molecular weight for each hour of each month. (5) For any pilot and purge gas used, the type of gas used, the volumetric flow for each day and for each month, and the means used to determine flow. (6) Flare monitoring system downtime periods, including dates and times. (7) For each day and for each month provide calculated sulfur dioxide emissions. (8) A flow verification report for each flare subject to this rule. The flow verification report shall include flow verification testing pursuant to Section 6.3.5. [District Rule 4311, 6.2.3] Federally Enforceable Through Title V Permit
23. The following records shall be maintained, retained on-site for a minimum of five years, and made available to the APCO, ARB, and EPA upon request: (1) Copy of the compliance determination conducted pursuant to Section 6.4.1. (2) Copy of the source testing result conducted pursuant to Section 6.4.2. (3) For flares used during an emergency, record of the duration of flare operation, amount of gas burned, and the nature of the emergency situation. (4) Effective on and after July 1, 2011, a copy of the approved flare minimization plan. (5) Effective on and after July 1, 2012, where applicable, a copy of annual reports submitted to the APCO pursuant to Section 6.2. (6) Effective on and after July 1, 2011, where applicable, vent gas monitoring data collected. [District Rule 4311, 6.1] Federally Enforceable Through Title V Permit
24. The flare shall be operated according to the manufacturer's specifications, a copy of which shall be maintained on site. [District Rule 2520, 9.3 and 40CFR 60.18(d)] Federally Enforceable Through Title V Permit
25. The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip. [40 CFR 60.18 (f)(4)] Federally Enforceable Through Title V Permit
26. Air-assisted or steam-assisted flares shall only be used when the net heating value of the gas being combusted is 300 Btu/scf or greater. Nonassisted flares shall only be used when the net heating value of the gas being combusted is 200 Btu/scf or greater. [40 CFR 60.18 (c)(3)(ii)] Federally Enforceable Through Title V Permit
27. Steam-assisted and nonassisted flares shall be operated with an exit velocity less than 60 ft/sec, except as provided in 40 CFR 60.18 (c)(4)(ii) and (iii). [40 CFR 60.18 (c)(4)(i)] Federally Enforceable Through Title V Permit
28. Steam-assisted and nonassisted flares may be operated with an exit velocity equal to or greater than 60 ft/sec, but less than 400 ft/sec, if the net heating value of the gas being combusted is greater than 1,000 Btu/scf. [40 CFR 60.18 (c)(4)(ii)] Federally Enforceable Through Title V Permit
29. Steam-assisted and nonassisted flares may be operated with an exit velocity less than the velocity V_{max} , as determined by the methods specified in 40 CFR 60.18 (f)(5), and less than 400 ft/sec. [40 CFR 60.18 (c)(4)(iii)] Federally Enforceable Through Title V Permit
30. The net heating value of the gas being combusted in the flare shall be calculated pursuant to 40 CFR 60.18(f)(3) or by using EPA Method 18, ASTM D1945-96, ASTM D1946, and ASTM D2382 if published values are not available or cannot be calculated. [40 CFR 60.18 (f)(3)] Federally Enforceable Through Title V Permit
31. Operators shall not depressurize any vessel containing VOCs unless the process unit turnaround is accomplished by employing one of the following operating procedures: The organic vapors shall either be recovered, added to the refinery fuel gas system and combusted; or controlled and piped to an appropriate firebox or incinerated for combustion; or flared, until the pressure within the process vessel is as close to atmospheric pressure as is possible. All process vessels shall be depressurized into the control facilities to less than 1020 mm Hg (5 psig) before venting/opening to atmosphere. All organic compounds which emerge from a refinery process vessel during the purging of said vessel and which otherwise would be emitted to the atmosphere shall be either directed to a flare or incinerator or shall be used for fuel until such disposition of emissions is not technically feasible or is less safe than atmospheric venting. [District Rule 4454, 4.0] Federally Enforceable Through Title V Permit

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32. Except for complying with the applicable requirements of Sections 6.1 and 7.3, the requirements of this rule shall not apply to 1) components subject to Rule 4623 (adopted 5/19/05), 2) pressure relief devices, pumps, and compressors equipped with a closed vent system as defined in Section 3.0, 3) components buried below ground, 4) components exclusively handling liquid streams which have less than 10 percent by weight (<10 wt%) evaporation at 150 C, 5) components exclusively handling liquid streams with a VOC content less than ten percent by weight (<10 wt%), 6) components exclusively handling gas/vapor streams with a VOC content of less than one percent by weight (<1 wt%), 7) components incorporated in lines exclusively in vacuum service, 8) components exclusively handling commercial natural gas, and 9) one-half inch nominal or less stainless steel tube fittings which have been demonstrated to the Air Pollution Control Officer (APCO) to be leak-free based on initial inspection. [District Rule 4455, 4.1 & 4.2] Federally Enforceable Through Title V Permit
33. Except for components subject to Rule 4623 (Storage of Organic Liquids) or for components included in the inspection and maintenance (I&M) program implemented pursuant to Section 5.7 of Rule 4623, the operator shall not use any component that leaks in excess of the allowable leak standards of Rule 4455, or is found to be in violation of the provisions specified in Section 5.1.3. A component identified as leaking in excess of an allowable leak standard may be used provided it has been identified with a tag for repair, has been repaired, or is awaiting re-inspection after repair, within the applicable time period specified within the rule. [District Rule 4455, 5.1.1] Federally Enforceable Through Title V Permit
34. Each hatch shall be closed at all times except during sampling or adding of process material through the hatch, or during attended repair, replacement, or maintenance operations, provided such activities are done as expeditiously as possible and with minimal spillage of material and VOC emissions to the atmosphere. [District Rule 4455, 5.1.2] Federally Enforceable Through Title V Permit
35. The operator shall be in violation of Rule 4455 if any District inspection demonstrates that one or more of the conditions in Section 5.1.4 (Leak Standards) exist at the facility. [District Rule 4455, 5.1.3.1] Federally Enforceable Through Title V Permit
36. Except for annual operator inspection described in Section 5.1.3.2.3, any operator inspection that demonstrates that one or more of the conditions in Section 5.1.4 exist at the facility shall not constitute a violation of Rule 4455 if the leaking components are repaired as soon as practicable but not later than the time frame specified in Rule 4455. Such components shall not be counted towards determination of compliance with the provisions of Section 5.1.4. [District Rule 4455, 5.1.3.2.1] Federally Enforceable Through Title V Permit
37. Leaking components detected during operator inspection pursuant Section 5.1.3.2.1 that are not repaired, replaced, or removed from operation as soon as practicable but not later than the time frame specified in Rule 4455 shall be counted toward determination of compliance with the provisions of Section 5.1.4. [District Rule 4455, 5.1.3.2.2] Federally Enforceable Through Title V Permit
38. Any operator inspection conducted annually for a component type (including operator annual inspections pursuant to Section 5.2.5, 5.2.6, 5.2.7, or 5.2.8) that demonstrates one or more of the conditions in Section 5.1.4 exist at the facility shall constitute a violation of Rule 4455 regardless of whether or not the leaking components are repaired, replaced, or removed from operation within the allowable repair time frame specified in Rule 4455. [District Rule 4455, 5.1.3.2.3] Federally Enforceable Through Title V Permit
39. A component shall be considered leaking if one or more of the conditions specified in Sections 5.1.4.1 through 5.1.4.4 of Rule 4455 exist at the facility. Readings shall be taken as methane using a portable hydrocarbon detection instrument and shall be made in accordance with the methods specified in Section 6.4.1 of Rule 4455. [District Rule 4455, 5.1.4] Federally Enforceable Through Title V Permit
40. The operator shall audio-visually inspect for leaks all accessible operating pumps, compressors and Pressure Relief Devices (PRDs) in service at least once every 24 hours, except when operators do not report to the facility for that given 24 hours. Any identified leak that cannot be immediately repaired shall be reinspected within 24 hours using a portable analyzer. If a leak is found, it shall be repaired as soon as practical but not later than the time frame specified in Table 3. [District Rule 4455, 5.2.1 & 5.2.2] Federally Enforceable Through Title V Permit

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41. The operator shall inspect all components at least once every calendar quarter, except for inaccessible components, unsafe-to-monitor components and pipes. Inaccessible components, unsafe-to-monitor components and pipes shall be inspected in accordance with the requirements set forth in Sections 5.2.5, 5.2.6, and 5.2.7. New, replaced, or repaired fittings, flanges and threaded connections shall be inspected immediately after being placed into service. Components shall be inspected using EPA Method 21. [District Rule 4455, 5.2.3, 5.2.4, 5.2.5, 5.2.6 & 5.2.7] Federally Enforceable Through Title V Permit
42. The operator may apply for a written approval from the APCO to change the inspection frequency from quarterly to annually for a component type, provided the operator meets all the criteria specified in Sections 5.2.8.1 through 5.2.8.3. This approval shall apply to accessible component types, specifically designated by the APCO, except pumps, compressors, and PRDs which shall continue to be inspected on a quarterly basis. [District Rule 4455, 5.2.8] Federally Enforceable Through Title V Permit
43. An annual inspection frequency approved by the APCO shall revert to quarterly inspection frequency for a component type if either the operator inspection or District inspection demonstrates that a violation of the provisions of Sections 5.1, 5.2 and 5.3 of the rule exists for that component type, or the APCO issued a Notice of Violation for violating any of the provisions of Rule 4455 during the annual inspection period for that component type. When the inspection frequency changes from annual to quarterly inspections, the operator shall notify the APCO in writing within five (5) calendar days after changing the inspection frequency, giving the reason(s) and date of change to quarterly inspection frequency. [District Rule 4455, 5.2.9 & 5.2.10] Federally Enforceable Through Title V Permit
44. The operator shall initially inspect a process PRD that releases to the atmosphere as soon as practicable but not later than 24 hours after the time of the release. To insure that the process PRD is operating properly, and is leak-free, the operator shall re-inspect the process PRD not earlier than 24 hours after the initial inspection but not later than 15 calendar days after the date of the release using EPA Method 21. If the process PRD is found to be leaking at either inspection, the PRD leak shall be treated as if the leak was found during quarterly operator inspections. [District Rule 4455, 5.2.11] Federally Enforceable Through Title V Permit
45. Except for process PRD, a component shall be inspected within 15 calendar days after repairing the leak or replacing the component using EPA Method 21. [District Rule 4455, 5.2.12] Federally Enforceable Through Title V Permit
46. A District inspection in no way fulfills any of the mandatory inspection requirements that are placed upon operators and cannot be used or counted as an inspection required of an operator. Any attempt by an operator to count such District inspections as part of the mandatory operator's inspections is considered to be willful circumvention and is a violation of this rule. [District Rule 4455, 5.2.13] Federally Enforceable Through Title V Permit
47. Upon detection of a leaking component, the operator shall affix to that component a weatherproof readily visible tag that contains the information specified in Section 5.3.3. The tag shall remain affixed to the component until the leaking component has been repaired or replaced; has been re-inspected using EPA Method 21; and is found to be in compliance with the requirements of Rule 4455. [District Rule 4455, 5.3.1 5.3.2 and 5.3.3] Federally Enforceable Through Title V Permit
48. An operator shall minimize all component leaks immediately to the extent possible, but not later than one (1) hour after detection of leaks in order to stop or reduce leakage to the atmosphere. [District Rule 4455, 5.3.4] Federally Enforceable Through Title V Permit
49. If the leak has been minimized but the leak still exceeds the applicable leak standards of Rule 4455, an operator shall repair or replace the leaking component, vent the leaking component to a closed vent system, or remove the leaking component from operation as soon as practicable but not later than the time period specified in Table 3. For each calendar quarter, the operator may be allowed to extend the repair period as specified in Table 3, for a total number of leaking components, not to exceed 0.05 percent of the number of components inspected, by type, rounded upward to the nearest integer where required. [District Rule 4455, 5.3.5] Federally Enforceable Through Title V Permit
50. If the leaking component is an essential component or a critical component and which cannot be immediately shut down for repairs, the operator shall minimize the leak within one hour after detection of the leak. If the leak has been minimized, but the leak still exceeds any of the applicable leak standards of Rule 4455, the essential component or critical component shall be repaired or replaced to eliminate the leak during the next process unit turnaround, but in no case later than one year from the date of the original leak detection, whichever comes earlier. [District Rule 4455 5.3.6] Federally Enforceable Through Title V Permit

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51. For any component that has incurred five repair actions for major gas leaks or major liquid leaks, or any combination of major gas leaks and major liquid leaks within a continuous 12-month period, the operator shall comply with at least one of the requirements specified in Sections 5.3.7.1, 5.3.7.2, 5.3.7.3, or 5.3.7.4 by the applicable deadlines specified in Sections 5.3.7.5 and 5.3.7.6. If the original leaking component is replaced with a new like-in-kind component before incurring five repair actions for major leaks within 12-consecutive months, the repair count shall start over for the new component. An entire compressor or pump need not be replaced provided the compressor part(s) or pump part(s) that have incurred five repair actions as described in Section 5.3.7 are brought into compliance with at least one of the requirements of Sections 5.3.7.1 through 5.3.7.6. [District Rule 4455, 5.3.7] Federally Enforceable Through Title V Permit
52. The operator shall monitor process PRD by using electronic process control instrumentation that allows for real time continuous parameter monitoring or by using telltale indicators for the process PRD where parameter monitoring is not feasible. [District Rule 4455, 5.4.1] Federally Enforceable Through Title V Permit
53. After a release from a process PRD in excess of 500 pounds of VOC in a continuous 24-hour period, the operator shall immediately conduct a failure analysis and implement corrective actions as soon as practicable but not later than 30 days to prevent the reoccurrence of similar release. For refineries processing greater than 20,000 barrels of crude oil per day, any subsequent release in excess of 500 pounds of VOC within a continuous 24-hour period shall be subject to the requirements of Section 5.4.5. [District Rule 4455, 5.4.3 & 5.4.4] Federally Enforceable Through Title V Permit
54. The operator of a refinery processing greater than 20,000 barrels of crude oil per day shall connect all process PRDs serving that process equipment to an APCO-approved closed vent system as defined in Section 3.0 if any of the conditions specified in Sections 5.4.5.1 and 5.4.5.2 occurs. Process PRDs subject to the provisions of Section 5.4.5 shall be connected to an APCO-approved closed-vent system as soon as practicable, but no later than the first turnaround after the requirement to connect becomes effective. [District Rule 4455, 5.4.5] Federally Enforceable Through Title V Permit
55. All major components and critical components shall be physically identified clearly and visibly for inspection, repair, and recordkeeping purposes. The physical identification shall consist of labels, tags, manufacturer's nameplate identifier, serial number, or model number, or other system approved by the APCO that enables an operator or District personnel to locate each individual component. The operator shall replace tags or labels that become missing or unreadable as soon as practicable but not later than 24 hours after discovery. The operator shall comply with the requirements of Sections 6.1.4 if there is any change in the description of major components or critical components. [District Rule 4455, 5.5.1 & 5.5.2] Federally Enforceable Through Title V Permit
56. The operator shall keep a copy of the operator management plan at the facility and make it available to the APCO, ARB and US EPA upon request. By January 30 of each year, the operator shall submit to the APCO for approval, in writing, an annual report indicating any changes to the existing, approved operator management plan. [District Rule 4455, 6.1.2 & 6.1.4] Federally Enforceable Through Title V Permit
57. The operator shall maintain an inspection log containing, at a minimum, 1) total number of components inspected, and total number and percentage of leaking components found by component types, 2) location, type, name or description of each leaking component, and description of any unit where the leaking component is found, 3) date of leak detection and method of leak detection, 4) for gaseous leaks, record the leak concentration in ppmv, and for liquid leaks record whether the leak is a major liquid leak or a minor liquid leak, 5) date of repair, replacement, or removal from operation of leaking components, 6) identification and location of essential component and critical components found leaking that cannot be repaired until the next process unit turnaround or not later one year after leak detection, whichever comes earlier, 7) methods used to minimize the leak from essential components and critical components that cannot be repaired until the next process unit turnaround or not later one year after leak detection, whichever comes earlier, 8) after the component is repaired or is replaced, the date of reinspection and the leak concentration in ppmv, 9) inspector's name, business mailing address, and business telephone number, and 10) the facility operator responsible for the inspection and repair program shall sign and date the inspection log certifying the accuracy of the information recorded in the log. [District Rule 4455, 6.2.1] Federally Enforceable Through Title V Permit

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58. Records of each calibration of the portable hydrocarbon detection instrument utilized for inspecting components, including a copy of current calibration gas certification from the vendor of said calibration gas cylinder, the date of calibration, concentration of calibration gas, analyzer reading of calibration gas before adjustment, instrument reading of calibration gas after adjustment, calibration gas expiration date, and calibration gas cylinder pressure at the time of calibration. [District Rule 4455, 6.2.3] Federally Enforceable Through Title V Permit
59. The operator shall notify the APCO, by telephone or other methods approved by the APCO, of any process PRD release described in Sections 5.4.4 and 5.4.5, and any release in excess of the reportable quantity limits as stipulated in 40 CFR, Part 117, Part 302 and Part 355, including any release in excess of 100 pounds of VOC, within one hour of such occurrence or within one hour of the time said person knew or reasonably should have known of its occurrence. [District Rule 4455, 6.3.1] Federally Enforceable Through Title V Permit
60. The operator shall submit a written report to the APCO within thirty (30) calendar days following a PRD release subject to 6.3.1. The written report shall include 1) process PRD type, size, and location, 2) date, time and duration of the process PRD release, 3) types of VOC released and individual amounts, in pounds, including supporting calculations, 4) cause of the process PRD release, and 5) corrective actions taken to prevent a subsequent process PRD release. [District Rule 4455 6.3.2] Federally Enforceable Through Title V Permit
61. Copies of all records shall be retained for a minimum of five (5) years after the date of an entry. Such records shall be made available to the APCO, ARB, or US EPA upon request. [District Rule 4455, 6.2.2, 6.2.3 & 6.2.4] Federally Enforceable Through Title V Permit
62. Measurements of gaseous leak concentrations shall be conducted according to US EPA Method 21 using an appropriate portable hydrocarbon detection instrument calibrated with methane. The instrument shall be calibrated in accordance with the procedures specified in US EPA Method 21 or the manufacturer's instruction, as appropriate, not more than 30 days prior to its use. The operator shall record the calibration date of the instrument. [District Rule 4455, 6.4.1] Federally Enforceable Through Title V Permit
63. The VOC content of exempt streams shall be determined using American Society of Testing and Materials (ASTM) D 1945 for gases and South Coast Air Quality Management District (SCAQMD) Method 304-91 for liquids. [District Rule 4455, 6.4.2] Federally Enforceable Through Title V Permit
64. For exempt streams, the percent by volume liquid evaporated at 150 deg C shall be determined using ASTM D 86. [District Rule 4455, 6.4.3] Federally Enforceable Through Title V Permit
65. Equivalent test methods other than specified in Sections 6.4.1 through 6.4.5 may be used provided such test methods have received prior approval from the US EPA, ARB, and APCO. [District Rule 4455, 6.4] Federally Enforceable Through Title V Permit
66. Each owner or operator subject to the provisions of this subpart shall demonstrate compliance with the requirements of 40 CFR 60.482-3a for all equipment within 180 days of initial startup. [40 CFR 60.482-1a(a)]
67. Compliance with 40 CFR 60.482-3a shall be determined by review of records and reports, review of performance test results, and inspection using the methods and procedures specified in 40 CFR 60.485a. [40 CFR 60.482-1a(b)]
68. An owner or operator may request a determination of equivalence of a means of emission limitation to the requirements of 40 CFR 60.482-3a as provided in 40 CFR 60.484a. [40 CFR 60.482-1a(c)(1)]
69. If the Administrator makes a determination that a means of emission limitation is at least equivalent to the requirements of 40 CFR 60.482-3a, an owner or operator shall comply with the requirements of that determination. [40 CFR 60.482-1a(c)(2)]
70. Equipment that is in vacuum service is excluded from the requirements of 40 CFR 60.482-3a if it is identified as required in 40 CFR 60.486a(e)(5). [40 CFR 60.482-1a(d)]
71. Unless exempt under 40 CFR 60.482-3a, each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except as provided in 40 CFR 60.482-3a(h) and (i). The barrier fluid system shall be in heavy liquid service or shall not be in VOC service. Each compressor shall be operated and equipped as specified in 40 CFR 60.482-3a(b)(1), (2), or (3). [40 CFR 60.482-3a(a), (b), and (c)]

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72. Any compressor that is designated, as described in 40 CFR 60.486a(e)(1) and (2), for no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, is exempt from the requirements of 40 CFR 60.482-3a(a) through (h) if the compressor meets the requirements specified in 40 CFR 60.482-3a(i)(1) and (2). [40 CFR 60.482-3a(i), and District Rule 2201]
73. Any existing reciprocating compressor in a process unit which becomes an affected facility under the provisions of 40 CFR 60.14 or 40 CFR 60.15 is exempt from 40 CFR 60.482a(a), (b), (c), (d), (e), and (h), provided the owner or operator demonstrates that recasting the distance piece or replacing the compressor are the only options available to bring the compressor into compliance with the provisions of 40 CFR 60.482-3a(a), (b), (c), (d), (e), and (h). [40 CFR 60.593a(c)]
74. All records shall be maintained and retained on-site for a period of at least 5 years and shall be made available for District inspection upon request. [District Rule 1070]