



## STANDARD AIR CONTAMINANT DISCHARGE PERMIT REVIEW REPORT

Cascade Kelly Holdings LLC  
 dba Columbia Pacific Bio-refinery (Transloading Facility)  
 81200 Kallunki Road  
 Clatskanie, OR 97016

### Source Information:

SIC	5171, 5169, 4491	Source Categories (Table 1 Part, code)	B, 85 C, 4
NAICS	424710, 424690, 488320	Public Notice Category	II

### Compliance and Emissions Monitoring Requirements:

FCE		Source test	X
Compliance schedule		COMS	
Unassigned emissions		CEMS	
Emission credits		PEMS	
Special Conditions		Ambient monitoring	

### Reporting Requirements

Annual report (due date)	February 15	Monthly report (due dates)	
Quarterly report (due dates)		Excess emissions report	
		Other (specify)	

### Air Programs

Synthetic Minor (SM)	X	PSD	
SM -80		GHG	
NSPS (list subparts)	Kb	RACT	
NESHAP (list subparts)		TACT	X
CAO		Other (specify)	
NSR			

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## PERMITTING

### PERMITTEE IDENTIFICATION

1. Cascade Kelly Holdings, LLC  
dba Columbia Pacific Bio-Refinery - Transloading Facility  
81200 Kallunki Rd.  
Clatskanie, OR 97016-2244

### PERMITTING ACTION

2. The proposed permit is a combination of a modification and renewal of an existing Standard Air Contaminant Discharge Permit (ACDP) that was issued on August 19, 2014, and was originally scheduled to expire on August 1, 2019. The permittee is on a Standard ACDP because Cascade Kelly Holdings, LLC has a source specific PSEL for the transloading facility. The existing ACDP remains in effect until final action is taken on the renewal application because the permittee submitted a timely and complete application for renewal.
3. This permitting action only covers the transloading operations at CPBR. In accordance with Case No. AQ/AC-NWR-14-014, all storage and transloading operations are covered under ACDP 05-0023-ST-01. Transloading refers to the process of transferring a shipment from one mode of transportation to another (e.g. transferring from truck, rail, or barge to barge) and includes intermediate storage between the transportation methods. The ethanol production, storage, and shipping operation is considered to be a completely separate source from the transloading and storage operations with regards to air permitting. However, the Marine Vessel Loadout equipment, Vapor Combustion Unit (VCU), Vapor Recovery Unit (VRU) and Storage Tanks TK6105 and TK6106 are regulated by both this ACDP and ACDP 05-0006-ST-01. Therefore, all emissions from transloading must be accounted for under this ACDP except for HAPs, which must be considered under this ACDP and ACDP 05-0006-ST-01 together (combined) for ensuring compliance with Condition 5.2 of this ACDP.
4. Cascade Kelly Holdings, LLC's Transloading facility (CPBR) has been determined to be an existing source for the purposes of Cleaner Air Oregon in accordance with OAR 340-245-0020 because construction had commenced on this facility prior to November 16, 2018. As an existing source the permittee is required to perform a risk assessment in accordance with OAR 340-245-0050, and demonstrate compliance with the Risk Action Levels for an "Existing Source" in OAR 340-245-8010 Table 1 when called in by DEQ. CPBR has not yet been called in and therefore, has not yet performed a risk assessment. CPBR is currently in Group 3 of the call in list. Their actual call in date will depend on regional and program priorities and available resources, and/or other new information regarding their emissions of toxic air contaminants.

## OTHER PERMITS

5. Other permits issued or required by the DEQ for this source include:
  - a. General NPDES permit 1200-Z (storm water permit);
  - b. Water Pollution Control Facilities Permit 102666; and
6. ACDP 05-0006-ST-01 is a Standard ACDP covering ethanol production and the storage and shipping of ethanol produced by CPBR's ethanol plant. The ethanol plant is considered to be a completely separate source from the transloading and storage operations with regards to air permitting.

## ATTAINMENT STATUS

7. The source is located in an attainment area for all pollutants.
8. The source is not located within 10 kilometers of any Class I Air Quality Protection Areas.

## SOURCE DESCRIPTION

### OVERVIEW

9. The permittee, Cascade Kelly Holdings, LLC, dba Columbia Pacific Bio-Refinery, operates a bulk organic liquid products storage and marine vessel loading operation at 81200 Kallunki Road, Clatskanie, Oregon. Bulk organic liquid products are received, transferred to storage tanks, and dispensed to marine vessels. This ACDP allows CPBR to transload up to 1,839,600,000 gallons per year of volatile organic liquids (VOLs), which are limited to crude oil, ethanol, and renewable diesel (R100 or R100 that has been blended to meet state or federal renewable fuel credit program). VOLs can be brought to CPBR via truck, rail, and marine vessel. CPBR currently ships all VOLs via marine vessels.

The permittee owns an existing permitted ethanol manufacturing facility (permitted under Standard ACDP 05-0006-ST-01) at the location of this source. The ethanol facility was built in 2008 to conduct grain processing and ethanol manufacturing. Ethanol manufacturing is presently not being performed. The ethanol manufacturing facility includes equipment and activities common to Marine Vessel Petroleum Loading and Unloading (e.g., bulk product storage tanks, barge loadout operations, associated emission controls).

Marine Vessel Petroleum Loading and Unloading (SIC - 5171) is not a support activity of ethanol manufacturing (SIC - 2869); the two activities lie within different SIC major groups (51 and 28); therefore, pursuant to Oregon rules the transloading facility is a separate source from the ethanol manufacturing facility. If or when the ethanol manufacturing facility commences operation, some equipment and activities

(storage tanks TK6105 & TK6106, barge loadout operations, associated emission controls) will be shared by the two permitted facilities.

**\*Note: This permit and review report identify multiple SIC codes (5171, 5169 and 4491) with the transloading facility that are associated across different SIC major groups (51 and 44). This is for activity identification purposes only. Because the SIC 4491 activity is supporting of the SIC 5171 and 5169 activities the transloading facility is considered a single source under Oregon rules.**

10. The modifications relevant to this permit renewal consist of changes, as follows:

- a. Incorporate changes completed under notices of intent to construct, and
- b. Revise the definition of “volatile organic liquid” to include renewable diesel.

These changes do not increase emissions associated with the facility above the previous plant site emission levels.

11. The following changes have been made to the facility since the last permit renewal:

- a. On March 31, 2017, the ODEQ received a Notice of Intent to Construct (NC) from CPBR to add a second possible operating scenario in which CPBR purchases and uses existing storage tanks from PGE, located adjacent to CPBR facility, rather than constructing new tanks (NC 29033). The ODEQ approved this alternate operating scenario on April 26, 2017.
- b. On October 18, 2018, the ODEQ received an NC for CPBR to utilize a 248,300-gallon storage tank (TK6104) which was permitted at the ethanol plant (05-0006), at the transloading facility (source 05-0023). The storage tank would then be solely covered by the transloading facility permit (NC 30370). The ODEQ issued the modification on October 23, 2018.
- c. On February 3, 2020, the ODEQ received an NC from CPBR to permit the transloading of renewable diesel (NC 31131). The ODEQ denied the NC on February 12, 2010, and informed CBPR that a permit modification was necessary to allow for this change. This permit action will incorporate the modification.

## PROCESS AND CONTROL DEVICES

12. Air contaminant sources at the facility will consist of the following:

Existing sources:

- a. Two (2) – 3,800,000 gallon (TK6105 & TK6106) volatile organic liquid storage tanks, each with internal floating pan and liquid mounted primary seal to control emissions; constructed in 1976. These tanks will be shared with the existing ethanol manufacturing facility (05-0006) and at any time one or both may be in ethanol service in support of the ethanol manufacturing facility.
- b. One (1) - 248,300-gallon storage tank (TK6104). The tank was originally constructed for use at the ethanol production facility but there are no plans to use it for ethanol production in the future. It is used solely for unloading railcars under this transloading facility permit (source 05-0023)

- c. One (1) – Marine vessel loadout operation with emissions (VOC) controlled by either:
  - i. One (1) – loadout Jordan CEB 4800 vapor combustion unit (CE01/EU02), 163.6 MMBtu/hr, propane fired Thermal Oxidizer with low NO<sub>x</sub>/CO burner. The Jordan CEB 4800 consists of a group of four individual oxidizer units, each with its own stack, that are grouped together as a single emission unit. The units can be scaled into operation from one to all four units depending on operational load providing the Jordan CEB 4800 a thermal capacity range of 4 to 163.6 MMBtu/hr; or
  - ii. One (1) John Zink dual carbon bed vapor recovery unit (VRU).
- d. Fugitive emission sources:
  - i. Equipment fugitives associated with product receipt (tank farm).
  - ii. Equipment fugitives associated with product loadout to marine vessels (VOC).
  - iii. Equipment leaks (VOC) from piping and associated equipment (valves, etc.) used for handling volatile organic liquids.

Future sources:

- e. Two (2) - 36,000 gallon, high pressure, fixed roof Railcar Unloading Tanks (TK6151 and TK6152).
- f. Equipment leaks (VOC) from piping and associated equipment (valves, etc.) to connect tanks to the unloading and loading areas.
- g. Four (4) - 4,500,000 gallon (TK6153 - TK6156) volatile organic liquid storage tanks, each with internal floating roof equipped with liquid mounted primary seal and rim mounted secondary to control emissions.

## CONTINUOUS MONITORING DEVICES

- 13. CPBR continuously monitors the operating temperature of the Jordan CEB 4800 vapor combustion unit and records the data in 5 minute averages.

## COMPLIANCE HISTORY

- 14. The facility was inspected on September 19, 2018, and found to be in compliance with permit conditions.
- 15. During the prior permit period there were no complaints recorded for this facility.
- 16. A Notice of Civil Penalty and Order, Case No. AQ/AC-NWR-14-014, was issued on March 27, 2014. This was resolved on January 31, 2015 by Mutual Agreement and Final

Order No. AQ/AC-NWR-14-014, and resulted in the separation of the crude oil transloading operation into a separate Standard ACDP.

**EMISSIONS**

17. Proposed PSEL information:

Pollutant	Baseline Emission Rate (tons/yr)	Netting Basis		Plant Site Emission Limits (PSEL)		
		Previous (tons/yr)	Proposed (tons/yr)	Previous PSEL (tons/yr)	Proposed PSEL (tons/yr)	PSEL Increase (tons/yr)
PM	0	0	0	9	24	15
PM <sub>10</sub>	0	0	0	9	14	5
PM <sub>2.5</sub>	NA	0	0	9	9	0
SO <sub>2</sub>	0	0	0	39	39	0
NO <sub>x</sub>	0	0	0	39	39	0
CO	0	0	0	99	99	0
VOC	0	0	0	78	78	0
GHG (CO <sub>2e</sub> ) (including biomass CO <sub>2</sub> )	0	0	0	74,000	74,000	0
Individual HAP	NA	NA	NA	NA	9	9

- a. The proposed PSEL for each pollutant except VOC has been set equal to the respective Generic PSEL in accordance with OARs 340-216-0066(3)(b) and 340-222-0040.
- b. The netting basis is zero for all pollutants in accordance with OAR 340-222-0046(2)(c)(A).
- c. During the initial permitting action for CPBR, the VOC PSEL was set at 78 tons per year which is 38 tons above the respective significant emission rate (SER).
- d. The PM and PM<sub>10</sub> PSELs were revised to 24 and 14 tons/yr, respectively. DEQ rules do not allow a PSEL to be below the generic PSEL.
- e. Maximum pollutant emission rates were estimated based on an assumed maximum throughput of 25,000 barrels/hr marine vessel loading rate (1 barrel =

42 gallons: 25,000 barrels/hr = 1,050,000 gal/hr); 120,000 barrels per day (120,000 barrels per day = 1.84 billion gallons per year). The permittee may receive, store, and load out several volatile organic liquids; maximum emission rates were established by assuming all product throughput to be crude oil with Reid vapor pressure (RVP) of 12.75 psi; a representative RVP of Bakken crude oil. Displaced organic vapors from marine vessel loading of crude oil and ethanol will be controlled by either the Vapor Combustion Unit or Vapor Recovery Unit for emissions control. Because of the low vapor pressure and low volatile organic vapor content of renewable diesel, renewable diesel may be loaded on marine vessels without use of the VCU or VRU. The VCU combustion process will result in the emission of pollutants that are the products of combustion. Based on these assumptions the facility's maximum emissions of criteria pollutants are estimated to be approximately: 4 tons PM<sub>2.5</sub>/yr, 5 tons SO<sub>2</sub>/yr, 12 tons NO<sub>x</sub>/yr, 5 tons CO/yr and 78 tons VOC/yr.

- f. The facility has the potential to emit GHGs above the de minimis emission level of 2,756 tons/year (2,500 metric tonnes/year), so the permit includes the Generic PSEL for GHG.
- g. Combined, the transloading and ethanol production facilities have the potential to emit acetaldehyde at a level that exceeds the major source threshold for Title V ( $\geq 10$  tons/yr). The single HAP limit is being set in this permit, and doesn't relate to an allowed increase in emissions. PTE for all individual HAPs other than acetaldehyde are considerably below the 10 ton threshold. A PSEL for combined HAPs is not included in the permit because the permittee's respective PTE is less than 80% of the HAP major source threshold (25 tons/yr), as shown in paragraph 24, below.
- h. The HAP PSEL applies to emissions from sources 05-0006 and 05-0023 combined. Compliance with the PSEL must be determined using identical 12-consecutive month periods from each source.
- i. The emission rate for H<sub>2</sub>S was estimated to be below the de minimis emission level, therefore a PSEL is not included in the permit for this pollutant.
- j. The previous PSEL is the PSEL in the last permit.
- k. The PSEL is a federally enforceable limit on the potential to emit.

#### SIGNIFICANT EMISSION RATE ANALYSIS

- 18. For PM, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>2</sub>, NO<sub>x</sub>, CO, and GHG, the proposed Plant Site Emission Limits are less than the Netting Basis plus the significant emission rate, thus no further air quality analysis is required.
- 19. The VOC PSEL of 78 tons per year is greater than the sum of the Netting Basis (0 tons per year) and significant emission rate (40 tons per year). As part of the initial permitting, CPBR complied with all applicable requirements for the site specific PSEL.



**TITLE V MAJOR SOURCE APPLICABILITY**

- 20. A major source is a facility that has the potential to emit 100 tons/yr or more of any criteria pollutant or 10 tons/yr or more of any single HAP or 25 tons/yr or more of combined HAPs. This facility is not a major source of emissions.
- 21. A source that has potential to emit at the major source levels but accepts a PSEL below major source levels is called a synthetic minor (SM). When including the control requirements in the permit, this source no longer has the potential to emit at major source levels. Therefore, this source is a synthetic minor. Based on 2015-2019 performance testing data and actual production rates, CPBR does not have actual emissions above 80% of any major source threshold

**CRITERIA POLLUTANTS**

- 22. This facility is a synthetic minor source of criteria pollutant emissions.

**HAZARDOUS AIR POLLUTANTS**

- 23. With regards to hazardous air pollutants, the definition of source only requires that the activities must be located on one or more contiguous or adjacent properties and that they are owned or operated by the same person or by persons under common control; being in the major industrial group is not used in HAP single source determination. The ethanol (05-0006) and transloading (05-0023) facilities are on adjacent properties and share the same owner, making them a single source of HAP.
- 24. The combined source is an area source of hazardous air pollutants. Provided below is a summary of the HAP emissions from both the ethanol plant (05-0006) and transloading facility (05-0023).

Hazardous Air Pollutant	05-0006 PTE <sup>1</sup> (ton/year)	05-0023 PTE <sup>4</sup> (ton/year)	Combined PTE (ton/year)
Acetaldehyde <sup>2, 3</sup>	< 9	0.26	9
Acrolein <sup>3</sup>	0.19	<0.01	0.19
Formaldehyde <sup>3</sup>	1.17	<0.01	1.17
Methanol <sup>3</sup>	0.66	0.02	0.68
n-Hexane	3.78	0.24	4.02
Other HAP	0.07	0.05	0.12
Total	14.86	0.56	15.18

<sup>1</sup>05-0006 PTE from 2019 review report

<sup>2</sup>The permitted acetaldehyde PTE is the PSEL, which is a shared limit for the combined emissions from 05-0006 and 05-0023.

<sup>3</sup>Acetaldehyde, Acrolein, Formaldehyde, and Methanol are the main HAPs emitted from the ethanol fermentation process.

<sup>4</sup>05-0023 PTE are based on handling ethanol as a worst case for determining acetaldehyde emissions, the single largest HAP.

## TOXICS RELEASE INVENTORY

25. The Toxics Release Inventory (TRI) is federal program that tracks the management of certain toxic chemicals that may pose a threat to human health and the environment, over which DEQ has no regulatory authority. It is a resource for learning about toxic chemical releases and pollution prevention activities reported by certain industrial facilities. Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) created the TRI Program. In general, [chemicals covered by the TRI Program](#) are those that cause:
  - a. Cancer or other chronic human health effects;
  - b. Significant adverse acute human health effects; or
  - c. Significant adverse environmental effects.
26. There are currently over 650 chemicals covered by the TRI Program. Facilities that manufacture, process or otherwise use these chemicals in amounts above established levels must submit annual TRI reports on each chemical.
27. CPBR's most recent TRI report is for calendar year 2016, which indicated no chemical releases. CPBR did not submit TRI reports for calendar years 2017 or 2018 because the quantity of reportable chemicals processed was below the applicable thresholds.

## ADDITIONAL REQUIREMENTS

### NEW SOURCE PERFORMANCE STANDARDS APPLICABILITY

28. 40 CFR Part 60, Subpart Kb – “Standards of Performance for Volatile Organic Liquid (VOL) Storage Vessels for Which Construction, Reconstruction or Modification Commenced after July 23, 1984,” is applicable to EUs at CPBR because CPBR stores volatile organic liquid products in storage vessels that are affected facilities under this federal standard. Tanks affected by this federal standard include TK 6104, TK6105, and TK6106 (based on previous applicability determination); tanks TK6153 through TK6156; and tanks TK6201 through TK6207.
29. 40 CFR Part 60, Subpart XX – “Standards of Performance for Bulk Gasoline Terminals,” is **not applicable** to the EUs at CPBR because none of the EUs are in gasoline service and will therefore not function as an affected facility regulated by this federal standard.

30. 40 CFR Part 60, Subpart OOOO – “*Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution,*” is not applicable to the EUs at CPBR because CPBR does not include any of the onshore affected facilities listed in paragraphs (a) through (g) of 40 CFR 60.5365.

#### NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS APPLICABILITY

31. There are no sources at this facility for which NESHAPs are applicable:
32. 40 CFR Part 63, Subpart Y – “*National Emission Standards for Marine Tank Vessel Loading Operations,*” is not applicable to CPBR. This subpart applies to major sources of HAP with an actual annual throughput of  $\geq 10$  million barrels (420 million gallons) of gasoline or  $\geq 200$  million barrels (8.4 billion gallons) of crude oil. CPBR is an area source of HAP, CPBR is not authorized to transload gasoline (renewable diesel does not meet the definition of gasoline), and Condition 3.3.a. limits CPBR’s maximum throughput of crude oil to less than the applicable threshold.
33. CPBR is not permitted to transload gasoline and therefore does not function as an affected facility regulated by any of the following federal standards associated with gasoline:
  - a. 40 CFR Part 63, Subpart R – “National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations).” In addition, this standard is only applicable to major sources.
  - b. 40 CFR Part 63, Subpart BBBBBB – “National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities.”
34. 40 CFR Part 63, Subpart HH – “*National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities*” **is not** applicable to CPBR because it is not an Oil or Natural Gas Production facility.
35. 40 CFR Part 63, Subpart EEEE – “*National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline)*” **is not** applicable to CPBR because the standard is applicable to only major sources of HAP and CPBR is an area source (e.g., minor) source of HAP.

#### GREENHOUSE GAS REPORTING APPLICABILITY

36. CPBR is not required to report greenhouse gas emissions under division 215 because actual greenhouse gas emissions are less than 2,500 metric tons (2,756 short tons) of CO<sub>2</sub> equivalents per year. If CBPR’s actual emissions are at or above this amount, they will be required to report greenhouse gas emissions.

#### REASONABLY AVAILABLE CONTROL TECHNOLOGY APPLICABILITY

- 37. The RACT rules are not applicable to CPBR because it is not in the Portland AQMA, Medford AQMA, or Salem SKATS.

**TYPICALLY ACHIEVABLE CONTROL TECHNOLOGY APPLICABILITY**

- 38. The source will meet the State’s TACT/Highest and Best Rules by conducting the following activities:
  - a. VOC emissions that occur from vapor space displacement during marine vessel loading of crude oil or ethanol will be captured by a vapor collection system and controlled with a vapor recovery unit or vapor combustion unit. The thermal oxidizer must continue to operate at temperatures at or above the most recent approved performance test operating temperature demonstrating compliance with a control efficiency of 99.5%. Marine vessel loading of renewable diesel will be permitted to occur uncontrolled due to its low vapor pressure
  - b. Although 40 CFR Part 60, Subpart XX – “Standards of Performance for Bulk Gasoline Terminals,” (a federal New Source Performance Standard with the regulatory intent of minimizing the emissions of VOC at bulk gasoline terminals through the application of best demonstrated technologies) is not applicable to the proposed source, the proposed facility incorporates similar vapor collection and control methodologies as those required in the federal standard. Therefore, the proposed facility is expected to achieve similar levels of VOC emissions reduction.
  - c. Although 40 CFR Part 63, Subpart Y – “National Emission Standards for Marine Tank Vessel Loading Operations,” is not applicable to the proposed source (see discussion in Item 32. above), all marine vessels loaded with ethanol or crude oil at the facility have and will meet the same vapor tightness requirements as specified in Subpart Y. The permittee will document and maintain records of vessel vapor tightness and/or negative pressure loading events.

**SOURCE TESTING**

**PRIOR TESTING RESULTS**

- 39. The results of the most recent source tests are listed below. CPBR was transloading crude oil during the 2015 test and ethanol during the remaining source tests:

Emission Device	Test Date	Production Rate	Pollutant	Measured Value	Stack Temp
EP-01: VCU A	8/14/2015	4,231 gal/min	CO	0.043 lb/hr	2,132°F

Emission Device	Test Date	Production Rate	Pollutant	Measured Value	Stack Temp
EP-01: VCU A	8/14/2015	4,231 gal/min	NOx	0.14 lb/hr	2,132°F
EP-01: VCU A	8/14/2015	4,231 gal/min	VOC (as propane)	0.098 lb/hr	2,132°F
EP-01: VCU A	10/19/2016	4,459 gal/min	CO	< 0.0020 lb/hr	2,060°F
EP-01: VCU A	10/19/2016	4,459 gal/min	NOx	0.201 lb/hr	2,060°F
EP-01: VCU A	10/19/2016	4,459 gal/min	VOC (as propane)	< 0.0115 lb/hr	2,060°F
EP-01: VCU A	7/10/2017	2,928 gal/min	CO	0.0189 lb/hr	1,796°F
EP-01: VCU A	7/10/2017	2,928 gal/min	NOx	0.0391 lb/hr	1,796°F
EP-01: VCU A	7/10/2017	2,928 gal/min	VOC (as propane)	< 0.0035 lb/hr	1,796°F
EP-01: VCU A	11/19/2019	3,763 gal/min	CO	< 0.02 lb/hr	2,190°F
EP-01: VCU A	11/19/2019	3,763 gal/min	NOx	0.15 lb/hr	2,190°F
EP-01: VCU A	11/19/2019	3,763 gal/min	VOC (as propane)	< 0.016 lb/hr	2,190°F
EP-01: VCU A	11/19/2019	3,763 gal/min	Acetaldehyde	0.001 lb/hr	2,190°F
EP-01: VCU B	8/14/2015	4,231 gal/min	CO	0.0081 lb/hr	2,134°F
EP-01: VCU B	8/14/2015	4,231 gal/min	NOx	0.050 lb/hr	2,134°F
EP-01: VCU B	8/14/2015	4,231 gal/min	VOC (as propane)	0.00 lb/hr	2,134°F
EP-01: VCU B	10/19/2016	4,459 gal/min	CO	0.0044 lb/hr	1,950°F
EP-01: VCU B	10/19/2016	4,459 gal/min	NOx	0.0254 lb/hr	1,950°F
EP-01: VCU B	10/19/2016	4,459 gal/min	VOC (as propane)	< 0.0036 lb/hr	1,950°F
EP-01: VCU B	7/10/2017	2,928 gal/min	CO	0.0059 lb/hr	1,740°F
EP-01: VCU B	7/10/2017	2,928 gal/min	NOx	0.0322 lb/hr	1,740°F
EP-01: VCU B	7/10/2017	2,928 gal/min	VOC (as propane)	< 0.0063 lb/hr	1,740°F
EP-01: VCU B	11/19/2019	3,763 gal/min	CO	0.54 lb/hr	2,201°F
EP-01: VCU B	11/19/2019	3,763 gal/min	NOx	0.038 lb/hr	2,201°F
EP-01: VCU B	11/19/2019	3,763 gal/min	VOC (as propane)	0.0038 lb/hr	2,201°F
EP-01: VCU B	11/19/2019	3,763 gal/min	Acetaldehyde	0.001 lb/hr	2,201°F

PROPOSED TESTING

- Unless the facility is loading renewable diesel, the Jordan CEB 4800 VCU system will be tested once during the permit term, within 24 months of permit issuance, and must be retested if CPBR changes the VOL transloaded. If CPBR uses the John Zink VRU it must be tested within 180 days of being brought back in service and must be retested if CPBR changes the VOL transloaded. The pollutants required to be tested correspond to the VOL being loaded. Refer to the permit for the source testing schedule, methods and

process/control device operating parameters that are to be followed and/or recorded during the tests.

## **PUBLIC NOTICE**

41. Pursuant to OAR 340-216-0066(4)(a)(A), issuance of Standard Air Contaminant Discharge Permits require public notice in accordance with OAR 340-209-0030(3)(b), which requires DEQ to provide notice of the proposed permit action and a minimum of 30 days for interested persons to submit written comments.
42. DEQ will hold a public hearing on the proposed permit. The public hearing begins at 6:00 p.m. on Wednesday May 13, 2020. The public hearing will take place online only. For webinar access at the time of the meeting, connect to the internet and go to this web address: <https://ordeq.adobeconnect.com/deqpdx/>
43. The notice was emailed/mailed on Friday April 10, 2020 and the comment period will end on Friday May 22, 2020 at 5 p.m.
44. DEQ received a request from Erin Saylor, staff attorney for Columbia River Keepers to extend the comment period for CPBR's transloading facility. After review, an extension was granted. The public comment period has been extended to June 5, 2020 at 5 p.m.
45. During the public comment period, DEQ received 2,427 written comments and 10 oral comments from individuals supporting or opposing the proposed permit. Comments received during the public comment period, comments received at the public hearing, and changes to the permit and review report are summarized in the attached document entitled "Hearings Officers Report and Response to Comments".
46. DEQ issued the ACDP, with corrections (as detailed in the Hearings Officers Report and Response to Comments) on June 30, 2020.

## **RECONSIDERATION**

47. On August 28, 2020, Columbia Riverkeeper, the Northwest Environmental Defense Center, and Neighbors for Clean Air (collectively, "Petitioners") filed a Petition for Reconsideration of the DEQ issuance of ACDP 05-0023-ST-01 issued to CPBR on June 30, 2020. The petitioners raised two distinct issues that they assert warrant reconsideration.
  - a. They requested reconsideration of the inclusion of provisions in the ACDP that authorized CPBR to operate under "Operating Scenario #2," asserting that the tanks that would be used for such operations are not part of source because CPBR does not have legal authority to use such tanks.

- b. They requested reconsideration of the ACDP authorization for the storage and marine vessel loading of crude oil, asserting that such provisions are prohibited under Governor Brown's Executive Order 20-04.
48. On September 16, 2020, DEQ granted reconsideration of whether the ACDP should include authorization for, and any provisions related to, "Operating Scenario #2" and denied reconsideration of the ACDP authorization for the storage and marine vessel loading of crude oil.
49. Petitioners claimed that CPBR did not have the legal right to include the tanks in Operating Scenario 2, which are currently owned by PGE, in the ACDP. Although CPBR and PGE agreed on a sale of the tanks, on May 15, 2020, PGE informed the Public Utility Commission of Oregon that "the transaction between Global and PGE for the purchase and sale of the Beaver [Tank Farm] has been terminated."
50. The circumstances presented here are as follows:
  - a. A permit condition was based on a representation that certain property and facilities would be sold to the permit-holder and would authorize operation of such facilities as part of the permitted source,
  - b. The property and facilities were not transferred to the applicant and the applicant had not begun operations on the property and using the facilities,
  - c. The current owner of the adjacent property and facilities subsequently has stated, definitively, publicly and in a forum that lends credibility to such statement, that the agreement has been terminated and the adjacent property owner intends to retain its ownership of such property and facilities, and
  - d. There is no current statement by the adjacent owner that, despite having publicly stated that the agreement had been terminated, the adjacent owner still consents to the inclusion of the permit condition that would authorize the permit holder to operate such facilities.
51. Therefore, DEQ determined that it is not appropriate to include Operating Scenario 2 in CPBR's ACDP.
52. DEQ revised the ACDP, review report, and response summary to remove the provisions relating to Operating Scenario 2. The reconsidered ACDP was issued on February 4, 2021.