



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

August 13, 2013

RE: Ohio Oil Gathering, LLC – Black Run Terminal
Facility ID # 0660000236
Muskingum County
Notice of Violation
HPV- GC 2, 7

Certified: 70122920000138147076

Aaron Fleming
Director Operations – ORV
Crosstex Energy Services, L.P.
157 Lower Eureka Lane
St. Marys, WV 26170

Dear Mr. Fleming:

The purpose of this letter is to identify violations of Clean Air Act requirements by the Ohio Oil Gathering, Black Run facility that have recently been discovered. Crosstex Energy Services (Crosstex) notified Ohio EPA on November 30, 2012, that the facility was capable of loading light crude oil prior to January 6, 1975. A review by this office of the revised facility-wide potential-to-emit (PTE) calculations for hazardous air pollutants (HAP) that the company submitted on June 3, 2013, has revealed that the facility is a major source of HAP emissions.

Pursuant to 40 CFR Part 60.2338(f), your facility is an existing organic liquid distribution (OLD) operation, located at a major source of HAP emissions, and thus subject to the requirements of 40 CFR Part 63, Subparts A, SS, EEEE, and WW, as well as either 40 CFR Part 63, Subpart TT, UU or H.

The following pieces of equipment at the facility are subject to 40 CFR Part 63, Subparts A and EEEE:

- All storage tanks storing organic liquids
- All transfer racks at which organic liquids are loaded into or unloaded out of transport vehicles and/or containers.
- All equipment leak components in organic liquids service associated with (i) storage tanks storing organic liquids; (ii) transfer racks loading or unloading organic liquids; and (iii) pipelines that transfer organic liquids directly between a storage tank subject to this subpart and a transfer rack subject to this subpart.
- Transport vehicles.

The following pieces of equipment at the facility are subject to 40 CFR Part 63, Subparts A and SS:

- Storage tanks
- Process vents (closed vent system and flare)
- Transfer racks
- Equipment leaks

The following equipment at the facility is subject to 40 CFR Part 63, Subparts A and WW:

- Storage tanks

In addition, there are additional requirements for equipment leaks under either 40 CFR Part 63, Subpart H or Subpart TT or Subpart UU.

Based upon review of the requirements under the above-referenced Subparts, the following violations were discovered:

1. EU J001 (railcar loading rack controlled by closed vent system & flare):

Pursuant to 40 CFR Part 63, Subpart EEEE, Section 63.2342(b)(1), the existing affected source is required to comply with the requirements of Subpart EEEE and applicable provisions found in Subparts SS and A by February 5, 2007. *"If you have an existing affected source, you must comply with the emission limitations, operating limits, and work practice standards for existing affected sources no later than February 5, 2007."*

Ohio Oil Gathering, LLC-Black Run Terminal failed to comply with the following provisions:

a. 40 CFR Part 63, Subpart EEEE:

Operational Restrictions:

63.2346(b) and (e)	Emission limitations, operating limits, work practice standards (Tables 2 and 3)
63.2350(a) through (c)	General compliance requirements
63.2396(e)	Compliance options

Monitoring and/or Recordkeeping Requirements:

63.2366(a)	Monitoring installation, operation, and maintenance requirements
63.2370(a) through (c)	Demonstration of Initial compliance with emission limitations, operating limits and work practice standards (Tables 6 and 7)
63.2374(a) through (c)	Monitor and collect data to demonstrate continuous compliance
63.2378(a) and (b)	Demonstration of compliance with emission limitations, operating limits and work practice standards (Tables 2 through 4, Tables 8 through 10)
63.2390(b) and (d)	Recordkeeping requirements
63.2394(a) through (c)	Maintain records

Reporting Requirements:

63.2342(d)	Notification requirements
63.2382(a) through (d)	Notifications (SS and Table 12)
63.2386(a) through (e)	Reporting requirements (SS, Tables 11 and 12)

Testing Requirements:

63.2354(a)	Performance tests, design evaluations, and performance evaluations (SS and paragraph (b))
63.2358(a) through (c)	Conduct performance tests and other initial compliance demonstrations (Table 4, item 1.a.)

b. 40 CFR Part 63, Subpart A:

Operational Restrictions:

63.6(e)(1)	Operation and maintenance requirements
63.6(e)(3)	Startup, shutdown and malfunction plan
63.11(b)	Control device and work practices

Testing Requirements:

63.7(a) through (g)	Performance testing requirements
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c. 40 CFR Part 63, Subpart SS:

Operational Restrictions:

63.982(a)(3)(ii) and (b)	General compliance requirements
63.983(a) and (d)	Closed vent systems
63.987(a) through (c)	Flare requirements

Monitoring and/or Recordkeeping Requirements:

63.998(a), (b) and (d)	Recordkeeping requirements
63.983(b) and (c)	Closed vent system inspection and monitoring requirements
63.987(c)	Flare monitoring requirements

Reporting Requirements:

63.999(a), (b), (c) and (d)	Notifications and other reports
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Testing Requirements:

63.987(b)	Flare compliance assessment
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2. EUs T001 and T003 (storage tanks):

Pursuant to 40 CFR Part 63, Subpart EEEE, Section 63.2342(b)(2), the existing affected source is required to comply with the requirements of Subpart EEEE and applicable provisions found in Subparts A and WW, by February 5, 2007, except as provided as follows: *"Floating roof storage tanks at existing affected sources must be in compliance with the work practice standards in Table 4 to this subpart, item 1, at all times after the next degassing and cleaning activity or within 10 years after February 3, 2004, whichever occurs first."* Degassing and cleaning activity last occurred for Tank 5 (EU T003) in August 2008, therefore, the compliance date for Tank 5 is August 2008. Degassing and cleaning activity last occurred for Tank 6 (T001) in December 2006, therefore, the compliance date is February 5, 2007.

Pursuant to Subpart EEEE, Section 63.2396(a), if the facility is complying with 40 CFR Part 60, Subpart Kb, then the facility may elect to comply only with the requirements of

that subpart for storage tanks, meeting the applicability criteria for control in table 2 to Subpart EEEE. If the facility is taking this option, please show that the facility is and has been in compliance with Subpart Kb. Otherwise, Ohio Oil Gathering, LLC-Black Run Terminal failed to comply with the following provisions:

a. 40 CFR Part 63, Subpart EEEE:

Operational Restrictions:

63.2346(a)	Emission limitations, operating limits, work practice standards (Tables 2 and 4)
63.2350(a) through (c)	General compliance requirements

Monitoring and/or Recordkeeping Requirements:

63.2370(a) through (c)	Demonstration of initial compliance with emission limitations, operating limits and work practice standards (Tables 6 and 7)
63.2378(a)	Demonstration of compliance with emission limitations, operating limits and work practice standards (Tables 8 and 10)
63.2390(b)	Recordkeeping requirements
63.2394(a) through (c)	Maintain records

Reporting Requirements:

63.2342(d)	Notification requirements
63.2382	Notifications (SS and Table 12)
63.2386	Reporting requirements (SS, Tables 11 and 12)

Testing Requirements:

63.2358(a) through (c)	Conduct performance tests and other initial compliance demonstrations (Table 2, item 1.a.ii and Table 4, item 1.a.)
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b. 40 CFR Part 63, Subpart A:

Operational Restrictions:

63.6(e)(1)	Operation and maintenance requirements
63.6(e)(3)	Startup, shutdown and malfunction plan

Testing Requirements:

63.7(a)(2)	Performance testing requirements
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c. 40 CFR Part 63, Subpart WW (per Subpart EEEE, Table 4, item 1.a.):

Operational Restrictions:

63.1062(a)(1)	Storage vessel control requirements (operate and maintain an IFR)
63.1063(a) and (b)	Floating roof requirements (design requirements, operational requirements, inspection frequency requirements, inspection procedure requirements, repair requirements)

Monitoring and/or Recordkeeping Requirements:

63.1063(c), (d) and (e)	Floating roof requirements (design requirements, operational requirements, inspection frequency requirements, inspection procedure requirements, repair requirements)
63.1065(a) through (d)	Recordkeeping requirements

Reporting Requirements:

63.1066(a) and (b)	Reporting requirements
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In addition to the established EUs, the facility is also subject to the requirements for equipment leak components:

3. Equipment leak components:

Pursuant to 40 CFR Part 63, Subpart EEEE, Section 63.2342(b)(1), the existing affected source is required to comply with the requirements of Subpart EEEE and applicable provisions found in Subparts SS and A, as well as either Subpart H, TT or UU, by February 5, 2007. *"If you have an existing affected source, you must comply with the emission limitations, operating limits, and work practice standards for existing affected sources no later than February 5, 2007."*

Therefore, Ohio Oil Gathering, LLC-Black Run Terminal failed to comply with the following provisions:

a. 40 CFR Part 63, Subpart EEEE:

Operational Restrictions:

63.2346(c)	Emission limitations, operating limits, work practice standards
63.2350(a) through (c)	General compliance requirements
63.2396(c) and (e)(2)	Compliance options

Monitoring and/or Recordkeeping Requirements:

63.2370(a) and (c)	Demonstration of initial compliance with emission limitations, operating limits and work practice standards (Tables 6 and 7)
63.2374(a)	Monitor and collect data to demonstrate continuous compliance
63.2378(a) and (b)	Demonstration of compliance with emission limitations, operating limits and work practice standards (Tables 4 and 10)
63.2390(b)	Recordkeeping requirements
63.2394(a) through (c)	Maintain records

Reporting Requirements:

63.2382 (a) through (d)	Notifications (SS and Table 12)
63.2386(a) through (e)	Submitted reports (SS, Tables 11 and 12)

Testing Requirements:

63.2354(a)	Performance tests, design evaluations, and performance evaluations (SS and paragraph (b))
63.2358(c)(2)	Initial compliance demonstration deadline
63.2362(a)	Subsequent performance tests

b. 40 CFR Part 63, Subpart A:

Operational Restrictions:

63.6(e)(1)	Operation and maintenance requirements
63.6(e)(3)	Startup, shutdown and malfunction plan

Testing Requirements:

63.7(e)(1)	Performance testing requirements
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c. 40 CFR Part 63, Subpart SS:

Operational Restrictions:

63.982(a)(4)	Equipment leak requirements
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d. There are additional requirements for equipment leaks under either 40 CFR Part 63, Subpart H or Subpart TT or Subpart UU.

For each pump, valve, and sampling connection that operates in organic liquids service for at least 300 hours per year, the facility must comply with applicable requirements of 40 CFR Part 63, Subpart TT, Subpart UU or Subpart H. Each of these subparts has requirements for equipment identification, instrument and sensory monitoring for leaks, monitoring methods, leak repair, valve standards, pump standards, connector standards, agitator standards, quality improvement programs, test methods and procedures, recordkeeping requirements, reporting requirements, and test methods and procedures. Ohio Oil Gathering has failed to specify the selected control program and applicable subpart, and therefore, has failed to demonstrate compliance with these requirements.

In addition to the established EUs, the facility is also subject to the requirements for transport vehicles.

4. Transport Vehicles:

Pursuant to 40 CFR Part 63, Subpart EEEE, Section 63.2342(b)(1), the existing affected source is required to comply with the requirements of Subparts EEEE and the applicable provisions of Subpart A by February 5, 2007. *"If you have an existing affected source, you must comply with the emission limitations, operating limits, and work practice standards for existing affected sources no later than February 5, 2007."*

Therefore, Ohio Oil Gathering, LLC-Black Run Terminal failed to comply with the following provisions:

a. 40 CFR Part 63, Subpart EEEE:

Operational Restrictions:

63.2346(d)	Emission limitations, operating limits, work practice standards
63.2350(a) through (c)	General compliance requirements
63.2396(e)	Compliance options

Monitoring and/or Recordkeeping Requirements:

63.2370(a)	Demonstration of Initial compliance with emission limitations, operating limits and work practice standards (Table 7)
63.2378(a) through (c)	Demonstration of compliance with emission limitations, operating limits and work practice standards (Tables 2 and 4)
63.2390(b), (c) and (d)	Recordkeeping requirements

63.2394(a) through (c)	Maintain records
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Reporting Requirements:

63.2382(a) through (d)	Notifications (SS and Table 12)
63.2386(a) through (e)	Submitted reports (SS, Tables 11 and 12)

b. 40 CFR Part 63, Subpart A:

Operational Restrictions:

63.6(e)(1)	Operation and maintenance requirements
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Within 30 days of receipt of this letter, please submit a compliance plan and schedule outlining Ohio Oil Gathering's strategy for achieving full compliance with all applicable requirements of 40 CFR Part 63. Please include the date by which your facility intends to submit any permit applications required to be filed to reflect applicability of these requirements.

Acceptance by Ohio EPA of submitted information does not constitute a waiver of Ohio EPA's authority to seek civil penalties as provided in section 3704.06 of the Ohio Revised Code. The determination to pursue or decline to pursue such penalties in this case will be made by Ohio EPA at a later date.

If you are unable to respond to any part of this request within the time frame discussed above, please contact me so that I may be of assistance. Should you have any questions or concerns, please feel free to contact me by telephone at (740) 380-5259 or via email at miki.mercer@epa.state.oh.us.

Sincerely,



Myka L. Mercer
Environmental Specialist II
Division of Air Pollution Control
Southeast District Office

MLM/cs

cc: Dawna Allen, Crosstex Energy Services, L.P
Kent Veron, Environmental Manager, Crosstex Energy Services, L.P
Dean Ponchak, DAPC-SEDO
Bruce D. Weinberg, DAPC/CO
Brian Dickens, U.S. EPA, Region V