



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

August 29, 2013

RE: Washington County  
Ohio Oil Gathering, LLC-Bells Run Terminal  
Facility ID: 0684000149  
Notice of Violation – High Priority (HPV)  
GC 2, 7

**Certified: 70122920000138147144**

Bill Coutts  
Ohio Oil Gathering, LLC  
Bells Run Terminal  
9320 Black Run Road  
Nashport, OH 43830

Dear Mr. Coutts,

The purpose of this letter is to convey notice of violation of applicable rules, requirements, and laws, highlight the potential for monetary civil penalties for non-compliance, and direct the facility to gain compliance.

Consistent with the assertion that Ohio Oil Gathering, Bells Run Terminal (Bells Run Terminal) has always been able to accommodate light crude oil as articulated by the facility and affirmed by Ohio EPA, Division of Air Pollution Control (DAPC), as well as a recent facility revision of the potential to emit (PTE) for hexane which establishes the facility as an existing major source of Hazardous Air Pollutants (HAP), Maximum Achievable Control Technology (MACT) requirements apply to Bells Run Terminal. These requirements are not presently incorporated into existing permits, but in accordance with 40 Code of Federal Regulations (CFR) Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories, the facility is nonetheless required to comply. Specifically, Bells Run Terminal is subject to the following Subparts of 40 CFR Part 63:

1. Subpart A, General Provisions,
2. Subpart Y, National Emission Standard for Marine Tank Vessel Loading Operations,
3. Subpart WW, National Emission Standards for Storage Vessels (Tanks), Control Level 2,
4. Subpart EEEE, National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline), and
5. Subpart H, National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks, or
6. Subpart TT, National Emission Standards for Equipment Leaks, Control Level 1, or

7. Subpart UU, National Emission Standards for Equipment Leaks, Control Level 2 Standards.

With respect to these Subparts, the following specific requirements and violations for non-compliance with these requirements are cited:

Table 1. Subpart Y, National Emission Standard for Marine Tank Vessel Loading Operations.

§ 63.562	Standards.
(e)	Operation and maintenance requirements for air pollution control equipment and monitoring equipment for affected sources.
§ 63.564	Monitoring requirements.
(a)(1)	Includes compliance with § 63.8, Monitoring requirements.
§ 63.8	Monitoring requirements.
(b)	Conduct of monitoring.
§ 63.565	Test methods and procedures.
(a)	Performance testing; includes compliance with § 63.7, Performance testing requirements, if required.
(l)	Emission estimation procedures.
§ 63.567	Recordkeeping and reporting requirements.
(a)	Includes compliance with § 63.9 and 63.10.
(j)(4)	
(m)	

Table 2. Subpart WW, National Emission Standards for Storage Vessels (Tanks)—Control Level 2.

§ 63.1063	Floating roof requirements.
(a)(1)(i)	Design requirements, Rim seals, Internal floating roof.
(b)	Operational requirements.
(c)(1)	Inspection frequency, Internal floating roofs.
(d)	Inspection procedure requirements.
(e)	Repair requirements.
§ 63.1065	Recordkeeping requirements.
§ 63.1066	Reporting requirements.

Table 3. Subpart EEEE, National Emission Standards for Hazardous Air Pollutants: Organic Liquids Distribution (Non-Gasoline).

§ 63.2346	What emission limitations, operating limits, and work practice standards must I meet?
(a)	Storage tanks.
(c)	Equipment leak components.
(e)	Operating limits.
§ 63.2350	What are my general requirements for complying with this subpart?
(a) – (c)	
§ 63.2354	What performance tests, design evaluations, and performance evaluations must I conduct?

(a)(1) – (2)	
§ 63.2358	By what date must I conduct performance tests and other initial compliance demonstrations?
(a)	
(b)(1)	
(c)(1) – (c)(1)(i)	
(c)(2)	
§ 63.2366	What are my monitoring installation, operation, and maintenance requirements?
(a)	
§ 63.2370	How do I demonstrate initial compliance with the emission limitations, operating limits, and work practice standards?
(a) – (c)	
§ 63.2374	When do I monitor and collect data to demonstrate continuous compliance and how do I use the collected data?
(a)	
§ 63.2378	How do I demonstrate continuous compliance with the emission limitations, operating limits, and work practice standards?
(a) – (b)	
§ 63.2382	What notifications must I submit and when and what information should be submitted?
(a)	
(b)(1)	Initial notification.
(c)	
(d)(1) – (d)(2)(i)	Notification of Compliance Status.
– (iii), (v), (vi)	
§ 63.2386	What reports must I submit and when and what information is to be submitted in each?
(a) – (c)(8)(ii)	
(d)(1) – (4)(i)	
§ 63.2390	What records must I keep?
(b)	
(d)	
§ 63.2394	In what form and how long must I keep my records?
§ 63.2396	What compliance options do I have if part of my plant is subject to both this subpart and another subpart?
(a)(1) – (3)	Compliance with other regulations for storage tanks.
(c)	Compliance with other regulations for equipment leak components.
(e)(2)	Equipment leak components.

40 CFR Part 63, Subparts H, TT, or UU also apply, as above, but as the facility has not exercised its right and obligation to choose which of these Subparts with which to comply, DAPC does not herein cite specific violations of the attendant Subpart. However, this does not obviate those requirements, and testing and/or recordkeeping and reporting violations are presumed.

Bill Coutts  
Ohio Oil Gathering, LLC – Bells Run Terminal  
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Please submit to this office, within 30 days of receipt of this letter, a plan and schedule for achieving compliance. Submit this plan to the attention of Chad Ferguson, Ph.D.

This letter or information pursuant to this letter does not constitute a waiver of the Ohio Environmental Protection Agency's (EPA) authority to seek civil penalties as provided in Section 3704.06 of the Ohio Revised Code. Ohio EPA will determine later whether to pursue such penalties in this case.

If you have any questions, please contact me at 740-380-5252 or via e-mail [chad.ferguson@epa.ohio.gov](mailto:chad.ferguson@epa.ohio.gov).

Sincerely,



Chad Ferguson, Ph.D.  
Ohio EPA – Division of Air Pollution Control  
Southeast District Office

CF/cs

cc: Bruce Weinberg, Ohio EPA, Central Office  
Dean Ponchak, Ohio EPA, SEDO  
Brian Dickens, U.S. EPA, Region V