Environmental Protection Agency

§ 52.2478–52.2494 [Reserved]

§ 52.2495 Voluntary limits on potential to emit

Terms and conditions of regulatory orders issued pursuant to WAC 173-400-091 “Voluntary limits on emissions” and in accordance with the provisions of WAC 173-400-091, WAC 173-400-105 “Records, monitoring, and reporting,” and WAC 173-400-171 “Public involvement,” shall be applicable requirements of the federally-approved Washington SIP and Section 112(l) program for the purposes of section 113 of the Clean Air Act and shall be enforceable by EPA and by any person in the same manner as other requirements of the SIP and Section 112(l) program. Regulatory orders issued pursuant to WAC 173-400-091 are part of the Washington SIP and shall be submitted to EPA Region 10 in accordance with the requirements of §§ 51.104(e) and 51.326.

[60 FR 28728, June 2, 1995]

§ 52.2496 [Reserved]

§ 52.2497 Significant deterioration of air quality.

(a) The requirements of sections 160 through 165 of the Clean Air Act are not met, since the plan does not include approvable procedures for preventing the significant deterioration of air quality.

(b) Regulations for preventing significant deterioration of air quality. The provisions of §52.21 except paragraph (a)(1) are hereby incorporated and made a part of the applicable State plan for the State of Washington.

(c) In accordance with section 164 of the Clean Air Act and the provisions of 40 CFR 52.21(g), the Spokane Indian Reservation is designated as a Class I area for the purposes of preventing significant deterioration of air quality.


§ 52.2498 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulations for visibility new source review. The provisions of §52.28 are hereby incorporated and made a part of the applicable plan for the State of Washington.

[51 FR 23228, June 26, 1986]

EFFECTIVE DATE NOTE: At 79 FR 33453, June 11, 2014, §52.2498 was amended by adding paragraph (c) to read as follows,: effective July 11, 2014. For the convenience of the user, the added text is set forth as follows:

§ 52.2498 Visibility protection.

* * * * *

(c) The requirements of sections 169A and 169B of the Clean Air Act are not met because the plan does not include approvable provisions for protection of visibility in mandatory Class I Federal areas, specifically the Best Available Retrofit Technology (BART) requirement for regional haze visibility impairment (§51.308(e)). The EPA BART requirements are found in §§52.2500, 52.2501, and 52.2502.

§ 52.2499 [Reserved]

§ 52.2500 Best available retrofit technology requirements for the Intalco Aluminum Corporation (Intalco Works) primary aluminum plant—Better than BART Alternative.

(a) Applicability. This section applies to the Intalco Aluminum Corporation (Intalco) primary aluminum plant located in Ferndale, Washington and to its successors and/or assignees.

(b) Better than BART Alternative—Sulfur dioxide (SO\textsubscript{2}) emission limit for potlines. Starting January 1, 2015, SO\textsubscript{2} emissions from all potlines in aggregate must not exceed a total of 5,240 tons for any calendar year.

(c) Compliance demonstration. (1) Intalco must determine on a calendar
SO\textsubscript{2} emissions in tons per calendar month = (carbon consumption ratio) \times (% sulfur in baked anodes/100) \times (% sulfur converted to SO\textsubscript{2}/100) \times (2 pounds of SO\textsubscript{2} per pound of sulfur) \times (tons of aluminum production per calendar month)

(i) Carbon consumption ratio is the calendar month average of tons of baked anodes consumed per ton of aluminum produced as determined using the baked anode consumption and production records required in paragraph (e)(2) of this section.

(ii) % sulfur in baked anodes is the calendar month average sulfur content as determined in paragraph (d) of this section.

(iii) % sulfur converted to SO\textsubscript{2} is 95%.

(2) Calendar year SO\textsubscript{2} emissions shall be calculated by summing the 12 calendar month SO\textsubscript{2} emissions for the calendar year.

(d) Emission monitoring. (1) Intalco must determine the % sulfur of baked anodes using ASTM Method D6376 or an alternative method approved by the EPA Region 10.

(2) Intalco must collect at least four anode core samples during each calendar week.

(3) Calendar month average sulfur content shall be determined by averaging the sulfur content of all samples collected during the calendar month.

(e) Recordkeeping. (1) Intalco must record the calendar month SO\textsubscript{2} emissions and the calendar year SO\textsubscript{2} emissions determined in paragraphs (c)(1) and (c)(2) of this section.

(2) Intalco must maintain records of the baked anode consumption and aluminum production data used to develop the carbon consumption ratio used in paragraph (c)(1)(i) of this section.

(3) Intalco must retain a copy of all calendar month carbon consumption ratio and potline SO\textsubscript{2} emission calculations.

(4) Intalco must record the calendar month net production of aluminum and tons of aluminum produced each calendar month. Net production of aluminum is the total mass of molten metal produced from tapping all pots in all of the potlines that operated at any time in the calendar month, measured at the casthouse scales and the rod shop scales.

(5) Intalco must record the calendar month average sulfur content of the baked anodes.

(6) Records are to be retained at the facility for at least five years and be made available to the EPA Region 10 upon request.

(f) Reporting. (1) Intalco must report the calendar month SO\textsubscript{2} emissions and the calendar year SO\textsubscript{2} emissions to the EPA Region 10 at the same time as the annual compliance certification required by the Part 70 operating permit for the Intalco facility is submitted to the Title V permitting authority.

(2) All documents and reports must be sent to the EPA Region 10 electronically, in a format approved by the EPA Region 10, to the following email address: R10-AirPermitReports@epa.gov.

EFFECTIVE DATE NOTE: At 79 FR 33453, June 11, 2014, § 52.2500 was added, effective July 11, 2014.

§ 52.2501 Best available retrofit technology (BART) requirement for the Tesoro Refining and Marketing Company oil refinery—Better than BART Alternative.

(a) Applicability. This section applies to the Tesoro Refining and Marketing Company oil refinery (Tesoro) located in Anacortes, Washington and to its successors and/or assignees.


(1) Compliance Date. Starting no later November 10, 2014, Units F–101, F–102, F–201, F–301, F–652, F–751, and F–752 shall only fire refinery gas meeting the criteria in paragraph (b)(2) of this section or pipeline quality natural gas.

(2) Refinery fuel gas requirements. In order to limit SO\textsubscript{2} emissions, refinery fuel gas used in the units from blend drum V–213 must not contain greater than 0.10 percent by volume hydrogen sulfide (H\textsubscript{2}S), 365-day rolling average, measured according to paragraph (d) of this section.

(c) Compliance demonstration. Compliance with the H\textsubscript{2}S emission limitation