**Guidance Document for General Construction Permit GCP-6**

**Storage Vessel Facilities**

January 22, 2014

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**1. Introduction**

The Air Quality Bureau of the New Mexico Environment Department (Department), under Section 220 - General Permits of 20.2.72 New Mexico Administrative Code (NMAC) - Construction Permits, has issued Air Quality General Construction Permit GCP-6 for Storage Vessel Facilities. GCP-6 is available to all sources that meet the requirements in the permit. Facilities that are registered under a general construction permit are subject to the terms and conditions of that GCP.

This document includes a description of the process for registering under GCP-6, and for revising registration information in the event that there are changes at the registered facility. Section 5 summarizes the permit requirements. In all cases, bracketed cites refer to portions of GCP-6.

*This document is not intended as a substitute for reading the permit.* Although these instructions are based on the conditions of GCP-6 and every effort has been made to ensure accuracy, if there are any discrepancies between this document and the provisions of GCP-6, the provisions of GCP-6 prevail. In addition, the permit contains requirements to which the owner/operator is subject but that are not reflected in this document. Owners and operators are strongly encouraged to read GCP-6 and become familiar with its conditions.

Questions regarding this general construction permit can be directed to the Permitting Section of the Air Quality Bureau of the Environment Department. Additional information is available at the following link on the Department’s website:

<http://www.env.nm.gov/aqb/permit/Permitting_Guidance/Permitting_Guidance_11_OG_Guidance.html>

# **2. Registration under GCP-6**

The registration process involves submitting one completed Application Form to the Department along with a payment of 10 fee points as required by 20.2.75 NMAC. In addition, the Application Form should contain the certification that the public notice requirements were completed. The GCP-6 specifically identifies all required components of the Application Form that are required to be submitted to the Department.

All submittals under GCP-6 shall include the GCP-6 Application Form. Each Application Form shall be independent of its predecessor in regards to any changing data and the required signatures. Line-by-line and field-by-field instructions for filling out this form are provided below.

Copies of GCP-6 may be obtained by submitting a written request or visiting us at the following address:

New Mexico Environment Department

Air Quality Bureau

525 Camino de los Marquez, Suite 1

Santa Fe, NM 87505

Electronic copies may be obtained at the Bureau’s web address:

<http://www.env.nm.gov/aqb/permit/app_form.html>

Submit an original, completed, signed and notarized version of the GCP-6 Application Form to the New Mexico Environment Department Air Quality Bureau. It is preferred that a computer or typewriter be used to complete the form, however, a hand-written application may be submitted if the writing is legible.

If something on the Application Form does not apply to your operation, note that it is “Not Applicable” or use the abbreviation “N/A”.

If you have difficulty finding some of the information required by the Application Form, you may call or write to the Air Quality Bureau. You may also request a pre-application meeting to answer questions about the permit application process.

**3. Permit Fees**

Registration under GCP-6 is subject to permit fees. Permit fees are due with new Application Forms. The fee is based on a point system in which each point is equal to a certain dollar value. For GCP-6, the AQB charges each applicant the same number of fee points (currently 10 points). The dollar value of a fee point is changed on Jan 1 of each year to reflect the change in the consumer price index. To see the current value of a fee point, go to <http://www.env.nm.gov/aqb/permit/permit_fees.htm>. Due to the brief 30-day registration review period, the permit fee is required to be submitted with the application for registration. Prior to submitting an Application Form for the GCP-6, please ensure that the proposed facility meets all of the requirements of GCP-6 and all submittals are complete because the permit fee is non-refundable.

Note that an annual fee will also be assessed by AQB, as required under 20.2.75 NMAC. This fee is also adjusted annually based on the change in the consumer price index and its current value can also be found under *CPI Adjustment Methodology for the current year’s NSR Fees* at the above link.

# **4. Public Notice Requirements**

The applicant is required to notify the public of his or her intention to construct and operate a Storage Vessel Facility under the GCP-6. The purpose of the public notification is to give the public an opportunity to comment on the proposed location of a new or relocated facility. Per the requirements of 20.2.72.220 NMAC, an applicant's minimum public notice requirement for a GCP is: (1) to publish at least once in the legal notices section of a newspaper of general circulation in the county in which the owner or operator is proposing to construct and operate; and (2) post the notice at the entrance of the existing or proposed location, or other publicly conspicuous place, on the property until the Department grants or denies the registration. The applicant’s legal notice may include up to 10 separate facilities if required location information for each facility is included in the notice.

A template for the public notice is included in Section 12 of the Application Form. Proof that the notice was published and posted is required as established in Section 12 of the Application Form.

Construction may not begin until at least 15 days after public notice has been completed. The above 15 day requirement to complete the public notice requirements before commencement of construction does not apply to existing, constructed sources that are voluntarily requesting an emission limit on Storage Vessels. However, the public notice requirements must still be completed, and proof of public notice must be submitted as part of the Application Form.

# **5. Constructing and Operating Under GCP-6**

# The following table summarizes the owner’s/operator’s requirements for constructing and operating under GCP-6. Also see the specific permit conditions. Hours of operation are not limited under GCP-6.

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| **Activity** | **Relevant GCP-6 Requirements** |
| **Planning** | **When planning** a facility to be registered under GCP-6, **note**:* allowable equipment (Part A, Condition A102, Tables 102.A and 102.B). **If there is other equipment at the site, the permittee may be required to also obtain an NOI or convert the GCP-6 to a regular NSR permit.** The NOI should list the PER emissions of the other equipment and add the PTE emissions of the GCP-6, which would result in total emissions for the NOI or total emissions in determining applicability for Part 72. The permittee should also identify the GCP-6 permit number in the NOI application form.
* registration restrictions (Part A, Condition A101.C)
* potential emission rate (PER) of the facility (Part A, Tables 100.A and 100.B)
* allowable emissions (Part A, Table 102.A)
* allowable fuels (Part A, Condition A112.A) under GCP-6
 |
| **Publish and post Public Notice** for the facility (Part C, Condition C100B). Per the requirements of 20.2.72.220 NMAC, an applicant's minimum public notice requirement for a GCP is: (1) to publish at least once in the legal notices section of a newspaper of general circulation in the county in which the owner or operator is proposing to construct and operate; and (2) post the notice at the entrance of the existing or proposed location, or other publicly conspicuous place, on the property until the Department grants or denies the registration. The applicant’s legal notice may include up to 10 separate facilities if required location information for each facility is included in the notice. Construction may not begin until at least 15 days after public notice has been completed. The above 15 day requirement to complete the public notice requirements before commencement of construction does not apply to existing, constructed sources that are voluntarily requesting an emission limit on Storage Vessels. However, the public notice requirements must still be completed, and proof of public notice must be submitted as part of the Application Form.  |
| **Submit the Application Form** (Part C, Condition C100). The application includes GCP-6 Application Form (facility information) and GCP permit fee, if applicable. The Department has 30 days to issue or deny the registration (Part C, Condition C100.A(3)). No source may operate under GCP-6 unless the Department has approved its Application Form (Part A, Condition A101.A). |
| **Construction of the Facility** | **Construct in accordance with GCP-6** (Part A, Condition A101). All equipment must meet the specifications set out in GCP-6 (Part A, Conditions A102 through A113). Construction may not begin until at least 15 days after public notice has been completed (Part C, Condition C100.A(1)(a)). The above 15 day requirement to complete the public notice requirements before commencement of construction does not apply to existing, constructed sources that are voluntarily requesting an emission limit on Storage Vessels. However, the public notice requirements must still be completed, and proof of public notice must be submitted as part of the Application Form. The Department may cancel a permit if the construction or modification is not commenced within two years from the date of issuance or if, during the construction or modification, work is suspended for a total of one year. (20.2.72 NMAC) |
| **Initial Operation of Facility** | **Maintain copies** of the GCP-6, the most current Application Form, and the Department’s approval letter at the facility or nearest company office (Part B, Condition B111.B). |
| **Perform required** **reporting** (Part B, Condition B110.B) |
| **Ongoing Operation of the Facility** | **Operate the facility in accordance with GCP-6** (Part A and Part B).  |
| Various **monitoring, recordkeeping, and reporting** requirements apply (Part A, Conditions A103 through A113; Part B, Conditions B107 through B110). |
| **Allow the Department access** to the site (Part B, Condition B111). |
| **Start-up, shut-down and scheduled maintenance** | **Requirements for SSM events** (Part A, Condition A105.D and Part B, Conditions B107 & B109.C). |
| **Revision Processes**  | For **administrative** **changes**, notify the Department within 15 days of the change (Part C, Condition C101.A).* Examples include a change in owner/operator or a change in contact information.
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| For **modifications that increase the PER and require notification**, submit at least Sections 1, 2, 5, 6, 7, 8, 9, 10, 11, 13, 14, and 15 of the Application Form to the Department prior to the modification and maintain the current Application Form on-site or at the permittee’s local business office (Part C, Condition C101.B). No filing fee or public notice is required.* An example is new, additional equipment. See the definition of “modification” in Part D, Condition D101.I.
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| For **changes that do not increase the PER and do not require notification**, complete a new Application Form and keep it on-site or at the permittee’s local business office (Part C, Condition C101.C). No filing fee or public notice is required.* Examples include like-kind replacements, removals, or changes in throughput.
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| **Permit Revocation or Cancellation**  | The Department may revoke this permit if the applicant has knowingly and willfully misrepresented information (Part B, Condition B112.A). The Department shall cancel the permit if the source ceases operation for five years or more (Part B, Condition B112.B). The Department may cancel the permit if the construction or modification does not begin within 2 years of permit issuance (Part B, Condition B112.C).  |

# **6. Making Changes at a Registered Facility**

Whenever a permittee wishes to make a change at a registered facility that would alter the information on the registration form(s), the permittee must inform the Department of the change in accordance with Part C, Condition C101. When submitting changes to an existing permit, please include a **cover letter** with the following information:

* indicate that the change is to an existing GCP-6 registration,
* include the existing GCP-6 registration number,
* provide a brief description of the change, and
* cite the GCP-6 permit condition under which the change is sought.

Such changes fall into 3 categories under GCP-6, and each is subject to different requirements.

* **Administrative Changes that Require Notification** (Part C, Condition C101.A)

Submit at least Sections 1 and 15 of the Application Form. Include all information required by the Department to review the request and submit within 15 calendar days of the change(s).

* **Modifications that Increase PER and Require Notification** (Part C, Condition C101.B)

See the definitions of “modification” and “potential emission rate” in Part D, Condition D101. Per 20.2.72.220.D(1) NMAC, the Department must be notified in writing for modifications for which the facility will continue to meet the conditions of GCP-6 after the modification.

* **Changes that Do Not Increase the PER and Do Not Require Notification** (Part C, Condition C101.C)

For changes that are not administrative, do not increase the PER, and are not considered “modifications” as defined in Part D, Condition D101.I, no notification is required. However, these changes in equipment or operation should be recorded on a new Application Form and kept on-site or at the permittee’s local business office.

Changes or equipment additions that prevent the facility from meeting the requirements of GCP-6 shall not occur before the owner or operator applies for and is issued an individual construction permit under 20.2.72.200 NMAC. [20.2.72.220.D(2) NMAC]

# **7. Instructions for Filling out the GCP-6 Application Form**

This form serves as the vehicle for all submittals under GCP-6. Instructions for filling out this form are as follows:

**Checkboxes**

Check all that apply. If this submittal is *a new GCP-6 Application Form,* the applicant must include a certified check or money order for the permit fee (see above regarding permit fees). *Note: A new GCP-6 Application Form is not complete unless the permit fee is included.*

**Section 1) Company Information**

For Storage Vessel Facilities with an existing permit (or NPR or NOI), provide the existing AI number and permit number.

Line 1 Fill in the name of the storage vessel facility to be registered. On the right, fill in the SIC code for the facility. (See the text box on the following page for more information about SIC and NAIC codes.)

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| SIC Codes and NAIC Codes*SIC Code* means Standard Industrial Classification code, and it is likely to be eventually replaced by the *NAIC Code,* which is still under development and means North American Industrial Classification Code. The federal government maintains both systems to establish a standard way to classify all industrial, manufacturing, and commercial activities. SIC Codes use a four-digit number, and NAIC Codes use six-digit numbers.The SIC code for your operation can be found in the *Standard Industrial Classification Manual* prepared by the Office of Management and Budget. It is available in many libraries. The Occupational Safety and Health Administration (OSHA) maintains a web page (www.osha.gov/oshstats/sicser) that allows the user to search the 1987 version of the manual by keyword to access descriptive information for specific four-digit SICs. More information regarding NAIC codes may be found at the following website: www.census.gov/epcd/naics02 |

Line 2 Fill in the plant operator company name applying for registration of a storage vessel facility under GCP-6. Include phone/fax and mailing address.

Line 3 Fill in the plant owner company name phone/fax, and mailing address. The owner may be same as the operator or be different from the operator.

Line 4 List contact information for billing including company name, phone/fax, mailing address, and e-mail address.

Line 5 Enter telephone number of the preparer or consultant, including area code, as well as fax number and e-mail address. If they do not have a fax number or e-mail address, enter “N/A” in those spaces.

Line 6 Enter telephone number of the plant operator contact, including area code, as well as fax number and e-mail address. If they do not have a fax number or e-mail address, enter “N/A” in those spaces.

Line 7 Enter telephone number of the air permit contact, including area code, as well as fax number and e-mail address. If they do not have a fax number or e-mail address, enter “N/A” in those spaces.

Line 8 Indicate whether the facility will operate in conjunction with other air regulated parties on the same property by checking either yes or no in the appropriate box. If yes, enter the name and the permit number (or NOI or NPR) of the other facility.

**Section 2) Applicability**

Lines 1-6 Answer yes-or-no questions to verify whether the proposed facility will meet applicability requirements under GCP-6 or not. If the answer to the question in line 1 is “yes,” then the facility does not qualify for registration under GCP-6. If the answer to any of the questions in lines 2-6 is “no,” then the facility does not qualify for registration under GCP-6. Note that the accuracy of these answers is certified as part of this submittal.

**Section 3) Current Facility Status**

Lines 1-3 Answer yes-or-no questions and provide additional information if the answers are “yes.”

**Section 4) Facility Location Information**

Line 1 List the section, range, township, and county in which the facility is to be located, and the elevation (from sea level) at the facility. See text box below for more information about coordinate systems.

Line 2 List the UTM zone, coordinates, and the datum used in determining the facility location. List the longitude and latitude of the facility in degrees, minutes, and seconds. See text box below for more information about coordinate systems.

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| Determining the Location of the FacilityLines 1-2 ask the applicant to list the facility’s location in three different coordinate systems: Public Land Survey System (PLSS) of Section, Range, and Township; the Universal Transverse Mercator (UTM) system; and Latitude/Longitude. Generally, an applicant will determine the location using a GPS device, U.S. Geological Survey (USGS) topographic map, or the legal description of the property, and then translate the location information into coordinate systems as needed. A useful resource for converting from one coordinate system to another may be found at [www.topozone.com](http://www.topozone.com).The Public Land Survey System (PLSS) is a rectangular survey system that typically divides the land in the public domain into 6-mile square townships, which are further subdivided into 1-mile square sections. It was established in 1785 and is regulated by the Bureau of Land Management. It does not extend to lands excluded from the public domain, such as military installations, national parks, land grant areas (unless they pass into the public domain), and Indian Lands. Because these surveys form the basis of patents issued when public lands pass out of Federal ownership, legal descriptions often use this coordinate system, and may cite whether the legal description is based on a quarter or eighth of a section. USGS topographic maps (7.5 minute) also include section, range, and township.Latitudes and Longitudes may be found using a GPS device or by use of any sufficiently detailed map. The Universal Transverse Mercator (UTM) system is a system of vertical and horizontal coordinates that can also be used to pinpoint the location of the source. *UTM Zone* means the UTM zone in which the facility is located. New Mexico has two zones. West of 108 degrees longitude is Zone 12 and east of 108 degrees longitude is Zone 13. *UTME* means the Easting UTM coordinate, and *UTMN* means the Northing UTM coordinate. |

Line 3 List the name and zip code, distance to, and direction from, the nearest New Mexico town and/or tribal community.

Line 4 Provide detailed driving instructions including direction and distance from nearest New Mexico town and/or tribal community.

Line 5 List the distance and direction from the nearest New Mexico town.

Line 6 Check the appropriate box for land status.

**Section 5) Operational Options**

Lines 1-4 Answer yes-or-no questions to indicate whether the applicant is choosing to permit additional operating scenarios and be required to demonstrate compliance with optional conditions in the GCP-6. Operational options exist in the following four categories:

* + - Malfunction Emissions (Part A, Condition A104.A): If an applicant chooses to establish this limit in the permit, it can reduce the number of excess emissions reports required for malfunction events.
		- Redundancy for VOC Emissions Reduction Method (Part A, Condition A105.B): This option gives the permittee a federally enforceable redundant method of reducing VOC emissions during maintenance or malfunction events.
		- Truck Loading or Hydrocarbon Loadout (Part A, Condition A106.A): If the emissions from truck loading are substantial, the applicant may wish to reduce the emissions from truck loading, to keep the total facility emission rate to less than 79 tons per year. Reducing the loading emissions allows facilities to reduce a source of VOC emissions such that other equipment can operate onsite.
		- LACT Unit to Pipeline (Part A, Condition A106.B): If a facility has a LACT unit, an applicant may not want to be required to route emissions from truck loading to a method of reducing VOC emissions when the pipeline is unavailable and hydrocarbon liquids are temporarily loaded on trucks. Under this condition, the LACT unit truck loading emissions shall still be monitored and recorded.

**These options are completely voluntary and are required to be complied with only if an applicant chooses the conditions on the Application Form.**

**Section 6) Other Facility Information**

Line 1 Provide the maximum proposed annual facility throughput in bbl/yr and/or MM scf/yr.

Line 2 Check “yes” or “no” regarding the single source determination.

The following three criteria determine if more than one facility should be aggregated to make up a single stationary source for applicability purposes under 20.2.70, 20.2.72, 20.2.73, or 20.2.74 NMAC.

1. Do the facilities belong to the same industrial grouping (i.e., same two-digit SIC code grouping, or support activity)?
2. Are the facilities under common ownership or control?
3. Are the facilities located on one or more contiguous or adjacent properties?

All three of the questions must be answered “yes” to determine that more than one facility constitutes a single stationary source for air permitting purposes.

**Section 7) Submittal Requirements**

Lines 1-3 Answer yes-or-no questions to verify whether all required submittals are included with the Application Form.

**Section 8) Storage Vessel Information**

Include information for each storage vessel in this table. The second column indicates a request for emissions reduction. An allowable method of reducing VOC emissions is required for each storage vessel with a PER of 6 or more tpy VOC (Part A, Condition A105.A). An allowable method of reducing VOC emissions is optional for all other storage vessels. Selecting “yes” in the second column of this table requires demonstration of compliance (Part A, Condition A105.A) for that individual storage vessel.

**Section 9) Emission Reduction Calculation Table**

Use the separate pdf document labeled “Emission Reduction Calculation Table” to list allowable methods of reducing VOC emissions. This tool simplifies emission calculations based on dropdown options for working/breathing/flashing programs, dropdown options for reduction devices, and dropdown options for reduction efficiencies. For each Storage Vessel with a PER of 6 or more tpy VOC, the permittee shall install at least one of the allowable methods of reducing VOC emissions from Part A, Table 102.B. If a redundant reduction device is listed in this table for a storage vessel with a PER of less than 6 tpy VOC, “yes” should be selected in Section 5) line 2 of this Application Form and redundancy requirements (Part A, Condition A105.B) must be met.

**Section 10) Annual Total Emissions**

Detailed instructions are at the top of this table. Checking off the box below the instructions indicates the annual total VOC emission limit in the bottom row is less than 79 tpy for the combined total VOC allowable emission rate from all storage vessels and truck loading (Part A, Table 102.A).

**Section 11) Description of the Routine Operations of the Facility**

Instructions are at the top of this section.

**Section 12) Proof of Public Notice**

This section includes the following three parts:

* General Posting of Notice: Sign here to certify that a copy of the public notice was posted at the facility entrance as required by 20.2.72.220.A(2)(b)ii NMAC (Part C, Condition C100.B(2)(b)).
* Newspaper Publication of Notice: Check a box to indicate which method is used to verify the public notice was published in the legal notices section of a newspaper as required by 20.2.72.220.A(2)(b)ii NMAC (Part C, Condition C100.B(2)(a)). Also, include the original or copy of the actual newspaper advertisement or an affidavit from the newspaper stating that the advertisement was published.
* GCP-6 PUBLIC NOTICE EXAMPLE: Use this template to create the public notice. Follow the instructions in red at the top of the template.

**Section 13) All Calculations**

Instructions are at the top of this section.

**Section 14) Information Used to Determine Emissions**

Instructions are at the top of this section.

**Section 15) Certification for Submittal Under GCP-6**

New Mexico Administrative Code requires the applicant to certify that the information provided in the permit application form is accurate and true. Fill in the information required by the certification page of the application, and include the original copy with the submittal. The certification must be notarized. Note that the submittal will be determined to be incomplete if the certification page is missing or not complete.