

**EVALUATION REPORT**

**Rotten Robbie #66  
1787 South Main St  
Milpitas, CA 95035  
FID #200916  
Application #464353**

**BACKGROUND**

The applicant has requested an Authority to Construct/Permit to Operate for a new gasoline dispensing facility (GDF). This facility is within 1000 ft of a K-8 school, a Public Notice is required. The facility seeks a permit for the following device

**S-1 Gasoline Dispensing Facility**

The facility configurations are described below:

Proposed Construction
One 20,000 gal gasoline USTs
One 12,000 gal gasoline UST
One 12,000 gal diesel UST
Phase I OPW EVR (VR-102)
Phase II Balance EVR with V.R. Vapor Polisher and ISD (VR-204)
10 triple product gasoline nozzles
10 diesel nozzles
4.5 million gallons of gasoline per year throughput limit

This application is being processed as a new source as defined in Regulation 2-1-232.

**EMISSION CALCULATIONS**

This application was evaluated for a permitted throughput limit of 4.5 million gallons per year.

Emissions will be as follows:

Pollutant	Emissions Factors (lb/thousand gallon)	Emissions (lb/day)	Emissions (lb/year)	Emissions (ton/year)
POC	0.516	6.36	2322.0	1.16
Benzene	0.0029	0.04	13.05	0.0065

Emission factors are taken from the California Air Resources Board’s “Revised Emission Factors for Gasoline Marketing Operations at California Gasoline Dispensing Facilities” (12/23/13). Emissions of Precursor Organic Compound (POC) include emissions from loading, breathing, refueling and spillage.

## NEW SOURCE REVIEW

**Best Available Control Technology (BACT), Regulation 2-2-301:** Because this GDF will emit less than 10 pounds of POC per day, the facility will not have to install BACT.

**Offsets, Regulation 2-2-302:** Because the total facility emissions will be less than 10 tons per year, the facility is not required to provide offsets.

**Best Available Control Technology for Toxics (TBACT), Regulation 2-5-301:** The expected increased health risk from this project will exceed 1 per million, thus TBACT requirement is triggered. TBACT for GDFs requires the use of CARB certified Phase I and Phase II vapor recovery equipment.

**Project Risk Requirement, Regulation 2-5-302:** Since benzene emissions exceed the chronic trigger level of 2.9 lb/year, a health risk assessment (HRA) was required. In the HRA report, the results show that the increased cancer risk does not exceed 10 in one million, the chronic and acute hazard indexes do not exceed 1, and therefore the project complies with the project risk requirement.

A health risk assessment was performed for this facility using site specific land use data and approved by the staff toxicologist. A throughput rate of 4.5 million gallons per year corresponds to a maximum cancer risk of 3.2 in one million and a chronic non-cancer hazard index of 0.029.

## STATEMENT OF COMPLIANCE

**California Environmental Quality Act (CEQA), Regulation 2-1-311:** This project is considered to be ministerial under Regulation 2-1-311 and therefore is not subject to CEQA review. The engineering review for this project requires only the application of standard permit conditions and standard emission factors in accordance with Permit Handbook Chapter 3.2 and therefore is not discretionary as defined by CEQA.

**Public Notification, Regulation 2-1-412:** The facility is located within 1000 feet of the outer boundary of Pearl Zanker Elementary School located at 1585 Fallen Leaf Dr, Milpitas, and therefore subject to the public notification requirements.

A public notice has been prepared and sent to all addresses within 1,000 feet of the proposed source and to the parents or guardians of students enrolled at the schools.

**Gasoline Dispensing Facilities, Regulation 8-7-301 and 302:** The owner/operator is expected to comply with Phase I and Phase II requirements of BAAQMD Regulation 8, Rule 7.

**California Air Resources Board (CARB) Vapor Recovery Certification, VR-102, and VR-204:** The owner/operator is expected to comply with Enhanced Vapor Recovery (EVR) requirements of Phase I OPW EVR and Phase II Balance EVR system with Vapor Polisher and V.R. ISD.

## CONDITIONS

### Start Up Conditions for S-1

This GDF is subject to the following Start-up Conditions:

1. The owner/operator shall ensure the performance tests are successfully conducted at least ten (10) days, but no more than thirty (30) days after start-up. To comply with this condition, all tests shall be conducted after back-filling, paving, and installation of all required Phase I and Phase II components.
2. The owner/operator shall ensure the following vapor recovery system tests are successfully conducted in accordance with the latest version of CARB E.O. VR-102 and VR-204:
  - a. **A Static Pressure Performance Test, in accordance with CARB procedure TP-201.3.**
  - b. **Phase I Adaptor Static Torque Test on all rotatable Phase I adaptors in accordance with CARB TP-201.3 at least once in each 36-month period.**
  - c. **One of the following tests. The measured leak rate for each component shall be within the limits set in the applicable CARB Executive Order:**
    - i. **Stations equipped with drop tube overfill prevention devices ("flapper valves"): a Drop Tube Overfill Prevention Device and Spill Container Drain Valve Leak Test in accordance with CARB Test Procedure TP-201.1D and the applicable CARB Executive Order.**
    - ii. **All other stations: a Drop Tube/Drain Valve Assembly Leak Test in accordance with CARB Test Procedure TP-201.1C and the applicable CARB Executive Order.**
  - d. **Dynamic Back Pressure Test - TP-201.4 (7/3/02). The dynamic back pressure shall not exceed 0.35" WC @ 60 CFH and 0.62" WC @ 80 CFH.**
  - e. **Liquid Removal Test.**
  - f. **Nozzle Bag Test on all nozzles.**
  - g. **Vapor Pressure Sensor Verification Test.**
  - h. **Veeder-Root Vapor Polisher Operability Test.**
  - i. **Veeder-Root Vapor Polisher Emissions Test.**
  - j. **ISD Vapor Flow Meter Operability Test.**

#### **Permit to Operate Conditions for S-1**

##### Condition Number #100013

The owner/operator shall not allow the total fuel dispensed at this source to exceed the following limits during any consecutive 12-month period:

- 4.5 million gallons of gasoline - unleaded

##### Condition Number #100015

The owner/operator shall ensure the Phase I OPW EVR is installed, operated, and maintained in accordance with the most recent revision of the California Air Resources Board (CARB) Executive Order (EO) VR-102.

##### Condition Number #100016

The owner/operator shall ensure the Phase II Balance System with Vapor Polisher and V.R. ISD is installed, operated, and maintained in accordance with the most recent revision of the California Air Resources Board (CARB) Executive Order (EO) VR-204.

Condition Number #100036

The owner/operator shall:

1. Notify Source Test by email ([gdfnotice@baaqmd.gov](mailto:gdfnotice@baaqmd.gov)) or Fax (510-758-3087), at least 48 hours prior to any required testing.
2. Submit test results in a District approved format within thirty (30) days of testing.
  - For start-up tests results, cover sheet shall include the facility number (Facility ID) and application number of the Authority to Construct permit.
  - For annual test results, cover sheet shall include the facility number (Facility ID) and identified as 'Annual' in lieu of the application number.
  - Test results shall be emailed ([gdfresults@baaqmd.gov](mailto:gdfresults@baaqmd.gov)) or mailed to the Districts main office.

Condition Number #100037

The owner/operator shall conduct and pass the following tests at the indicated intervals:

1. A Static Pressure Performance Test, in accordance with CARB procedure TP-201.3 at least once in each 12-month period.
2. Phase I Adaptor Static Torque Test on all rotatable Phase I adaptors in accordance with CARB TP-201.1B at least once in each 36-month period.
3. One of the following tests in each 36-month period. The measured leak rate for each component shall be within the limits set in the applicable CARB Executive Order:
  - Stations equipped with drop tube overfill prevention devices ("flapper valves"): a Drop Tube Overfill Prevention Device and Spill Container Drain Valve Leak Test in accordance with CARB Test Procedure TP-201.1D and the applicable CARB Executive Order.
  - All other stations: a Drop Tube/Drain Valve Assembly Leak Test in accordance with CARB Test Procedure TP-201.1C and the applicable CARB Executive Order.

Condition Number #100043

The owner/operator shall ensure that the Phase II Balance EVR with the Veeder-Root Vapor Polisher and ISD can demonstrate on-going compliance with the vapor integrity requirements of CARB Executive Order E.O. VR-204 by conducting and passing the following tests at least once in each consecutive 12-month period following successful completion of start-up testing. The owner/operator shall ensure tests are conducted and evaluated using the reference test methods and standards from the latest version of the applicable executive order and/or test procedure.

1. Dynamic Back Pressure Test - TP-201.4
2. Liquid Removal Test.
3. Vapor Pressure Sensor Verification Test.
4. Veeder-Root Vapor Polisher Operability Test.
5. Veeder-Root Vapor Polisher Emissions Test.
6. ISD Vapor Flow Meter Operability Test.

Condition Number #100051

The owner/operator of the facility shall maintain the following records. Records shall be maintained on site and made available for inspection for a period of 24 months from the date the record is made.

1. Monthly totals of throughput (sales) of gasoline (all-grades) and other fuels pumped and summarized on an annual basis for each type of fuel (excluding diesel).
2. All scheduled testing and maintenance activities, including:
  - the date of maintenance, inspection, failure and, if applicable, ISD alarm history;
  - the date and time of maintenance call;
  - the maintenance performed;

- Certified Technician ID number or name of individual conducting maintenance and their phone number.
3. Weekly, quarterly and annual inspection sheets.

### **RECOMMENDATION**

The District has reviewed the material contained in the permit application for the proposed project and has made a preliminary determination that the project is expected to comply with all applicable requirements of District, state and federal air quality-related regulations. The preliminary recommendation is to issue an Authority to Construct for the equipment listed below. However, the proposed source will be located within 1000 feet of a school which triggers the public notification requirements of District Regulation 2-1-412. After the comments are received and reviewed, the District will make a final determination on the permit.

I recommend that the District initiate a public notice and consider any comments received prior to taking any final action on issuance of an Authority to Construct/Permit to Operate to change permit conditions for the following source:

**S-1 Gasoline Dispensing Facility New Facility**

By: Duncan Campbell, Senior Air Quality Permit Technician

Date: 7/19/2018