

**ORDER OF APPROVAL**  
**NOTICE OF CONSTRUCTION 23NOC1592**  
ISSUED to Safeway - Yelm on

JUN 28 2023

This Order of Approval ("Order") is issued in accordance with Olympic Region Clean Air Agency ("ORCAA") Rule 6.1 and the Washington State Implementation Plan under 40 CFR part 52.2470(c), Table 6.

Conditional approval to remove the Stage II vapor recovery system at the gas station located at 1109 East Yelm Avenue in Yelm ("Approved Location"), for operation solely as described in the associated Notice of Construction ("NOC") application 23NOC1592 is hereby GRANTED to Safeway - Yelm ("Applicant"), subject to the Conditions of Approval listed below.

This Order and the Conditions of Approval herein remain in effect for the life of the Approved Equipment as used at the Approved Location and shall be binding on Applicant, current owners and operators of the equipment, and Applicant's heirs, successors and assigns unless amended or superseded by a subsequent Order issued by ORCAA or unless the equipment is permanently shut down. The Applicant must notify any subsequent owner, operator, heirs, successor or assigns of this Order and the Conditions of Approval herein.

Conditions of Approval established in this Order shall be enforceable in addition to any applicable state, local and federal regulations, or standards in existence now or in the future. Compliance with the conditions of this Order do not relieve the Applicant or any owner or operator from compliance with ORCAA Regulations, chapter 70A.15 of the Revised Code of Washington, or any other emissions control requirements, nor from any penalties for failure to comply with the same. Applicant may appeal this Order to the Pollution Control Hearings Board ("PCHB") by filing a written appeal with the PCHB and serving a copy upon ORCAA within thirty (30) days of receipt of this Order.

This Order supersedes Order #00NOC055 and is GRANTED, for the Approved Location, subject to the following Conditions of Approval:

- 1. Approved Equipment.** The Stage II vapor recovery system removal as described in Notice of Construction application No. 23NOC1592 and the associated Final Determination is approved for construction and operation subject to conditions in this Order of Approval.

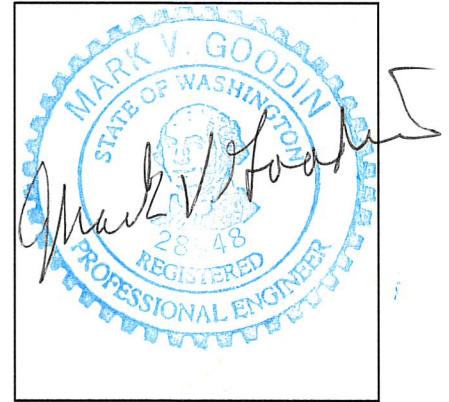
*[Regulatory Basis: ORCAA 6.1(a); ORCAA 6.1.2(l); 40 CFR part 52.2470(c), Table 6]*

*Lauren Whybrew* 6/21/23

PREPARED BY: Lauren Whybrew, Engineer II      Date

*Mark V. Goodin* 6/22/23

REVIEWED BY: Mark V. Goodin, PE      Date





# NOTICE OF CONSTRUCTION FINAL DETERMINATION TO APPROVE

Olympic Region Clean Air Agency

<b>Issued to:</b>	<b>Safeway – Yelm</b>	<b>County:</b>	<b>67 (Thurston)</b>
<b>Location:</b>	<b>1109 East Yelm Ave, Yelm, WA 98597</b>	<b>Source:</b>	<b>2128</b>
<b>Application #:</b>	<b>23NOC1592</b>	<b>RC:</b>	<b>RC4</b>
<b>Prepared on:</b>	<b>April 25<sup>th</sup>, 2023</b>	<b>File:</b>	<b>164</b>

## Section 1. Project Summary

### 1.1 Summary of Proposal and Permitting Action

Safeway – Yelm submitted a NOC application to ORCAA for approval to remove the existing Stage II vapor recovery system from the existing gasoline station located in Yelm. Removal of a Stage II vapor recovery system triggers the need to submit a NOC under ORCAA Rule 6.1. The existing fueling system consists of two underground gasoline storage tanks; one tank has a capacity of 10,000 gallons and the other gasoline tank has a capacity of 20,000 gallons. Both tanks are equipped with a California Air Resources Board (CARB) certified Stage I system, which is further described in 00NOC055, and equipment components listed in the application for 23NOC1592 verify that it is a Stage I Enhanced Vapor Recovery (EVR) system (VR-101).

### 1.2 Summary of Findings

ORCAA staff reviewed Safeway – Yelm’s NOC application and determined the following:

- The Facility is a stationary source of air pollution due to emissions from gasoline refueling operations.
- The Facility employs gasoline vapor control technology that meets the requirements of approval for the proposed action(s).
- The Facility will comply with all applicable local, state and federal emissions standards, including New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants;
- The Facility has a historical annual throughput of 2.3 million gallons per year. The centroid of the pumps is about 35 meters from the nearest point on the property line of the nearest lot on which a permanent residence is located. Based on this information, stage II is not required under WAC 173-491-040(5)(c) and the removal of the Stage II system can be approved.

### **1.3 ORCAA's Final Determination**

ORCAA reviewed Safeway – Yelm's NOC application and recommends approval. While ORCAA does not recommend any specific conditions of approval pertaining to the removal of Stage II, the Facility is subject to, and must continue to comply with, ORCAA Rule 8.12 which includes requirements for proper operation, maintenance, testing, and recordkeeping. Additionally, once issued, the Order of Approval for this NOC will supersede 00NOC055.

## **Section 2. Facility Description**

### **2.1 Site Background**

Original construction of the gas station was approved under 00NOC055, and required a Stage II vacuum-assist system.

On October 30, 2019, Safeway – Yelm submitted a Notice of Intent (NOI) under ORCAA Rule 6.4(a)(3) (formerly ORCAA Rule 6.1(b)(3)) for replacing the existing vacuum-assist Stage II vapor recovery system with CARB-certified balance Stage II system. ORCAA reviewed the NOI and on November 8, 2019, sent a letter to the applicant stating that the project as detailed in 19NOI1392 met the criteria in ORCAA Rule 6.4(a)(3) (formerly ORCAA Rule 6.1(b)(3)) and, therefore, replacing the Stage II system could be considered exempt from the requirement to submit a Notice of Construction (NOC) application. One of the criteria to qualify for this exemption is the project cannot involve the removal of a Stage II vapor recovery system (ORCAA Rule 6.4(a)(3)(iv)).

Safeway – Yelm submitted this NOC application for approval to remove the existing Stage II balance vapor recovery system, and operate conventional nozzles.

### **2.2 Description of Equipment**

Safeway – Yelm receives unleaded gasoline from tanker trucks for storage in two underground storage tanks (UST). One UST has a capacity of 10,000 gallons, and the second UST has a capacity of 20,000 gallons. They are equipped with an existing, CARB-certified EVR Stage I system (VR-101).

The centroid of the pumps is located 35 meters from the nearest point on the property line of the nearest lot on which a permanent residence is located. The historical throughput for this facility is 2.3 million gallons per year (gpy). The Facility currently operates a Stage II balance vapor recovery system. Based on the distance to the nearest residence and the historical gasoline throughput, the Facility may operate without a Stage II system upon approval of this NOC.

**Table 1: The Facility’s Stage I vapor recovery system technical information**

Equipment	CARB Executive Order <sup>1</sup>	Associated NOI or NOC
Stage I Dual Point EVR System	VR-101-V (Phil-Tite/EBW/FFS Stage I Vapor Recovery System)	00NOC055 and information provided in application NOC# 23NOC1592
Standard Dispensing Equipment	N/A (Conventional nozzles)	23NOC1592 (Removal of an existing Stage II system)

### Section 3. Air Emissions

#### 3.1 Emission Pathways

Evaporative emissions of air pollutants originate from three potential sources within gasoline dispensing facilities. The first source is the loading of gasoline storage tanks. Emissions are generated when gasoline vapors in the headspace of the storage tank are displaced while the tank is being loaded. The second source is referred to as tank “breathing losses.” Gasoline evaporation from breathing losses occur daily due to barometric pressure and temperature changes; this results in vapors escaping from the tank’s pressure vacuum (P/V) relief valve system. In addition, increasing the frequency of gasoline withdrawal from tanks increases the amount of fresh air introduced into tanks; this process enhances evaporation, which contributes to the breathing losses. The third source is vehicle refueling activities. Vehicle refueling emissions originate from the displacement of gasoline vapors when liquid gasoline enters the vehicle’s fuel tank, and spillage losses from fill nozzle drip, spit-back and overflow from the vehicle’s fuel tank filler pipeline.

Regulated air pollutant emissions from gasoline dispensing equipment at Safeway - Yelm consists of gasoline vapors containing volatile organic compounds (VOC), toxic air pollutants (TAP), and hazardous air pollutants (HAP).

#### 3.2 Potential to Emit

Potential-to-emit (PTE) is defined as the maximum possible emissions, given physical and regulatory limitations. ORCAA staff calculated PTE for the facility based on a maximum

<sup>1</sup>California Air Resources Board (CARB) Executive Orders and associated documents are available at: <https://www.arb.ca.gov/vapor/eo.htm>  
23NOC1592  
Final Determination

allowable gasoline throughput per year of 3.5 million gallons. To assure compliance with Washington’s regulations for gas stations, PTE will be re-evaluated if the Facility’s throughput exceeds 3.5 million gallons, or if the Facility alters the vapor recovery equipment (e.g., replacement of Stage I) in the future. To provide the applicant with flexibility for future growth (while not triggering additional conditions/requirements that are necessary for larger facilities), ORCAA staff assumed an annual throughput of 3.5 million gallons. The estimates for PTE are summarized in Table 2.

**Table 2: Summary of PTE\* emissions from the Facility for all VOCs**

Annual Throughput of 3.5 million gallons with Stage I EVR	
PTE	Total
tons/year	6.07
lbs/year	1.21E+04
lbs/hr	1.39

\*Assumes an ORVR fleet penetration of 75% and an ORVR efficiency of 95%

### 3.3 Registration Class

All sources requiring registration are classified into five different categories based on the source’s potential to emit. Each source is placed in the most appropriate class as determined by ORCAA. Based on Safeway – Yelm’s historical annual gasoline throughput reported to ORCAA, the most appropriate class for Safeway – Yelm at this time is Registration Classification (RC) 4 (see Table 3 below).

**Table 3: Summary of emissions from the Facility for all VOCs**

Annual Throughput of 3.5 million gallons with Stage I EVR	
PTE	Total
tons/year	6.07
lbs/year	1.21E+04
lbs/hr	1.39
Historical Throughput with Stage I EVR	
2022 – 2,305,352 gallons	4.02 TPY
2017 – 3,500,342 gallons	6.07 TPY
2014 – 2,916,817 gallons	5.07 TPY

### 3.4 Emissions Controls Description

Emissions of VOCs will be controlled during the loading and breathing of the underground storage tanks by an existing Stage I EVR system. During the refueling of gasoline, control of VOCs will consist of vehicle onboard refueling vapor recovery (ORVR) systems and minimizing emissions through the proper use of the equipment by adhering to existing requirements in

ORCAA Rule 8.12 which include management practices and procedures to prevent evaporative emissions of gasoline.

WAC 173-491-040(5) outlines Stage II requirements for gasoline dispensing facilities in Washington State. Installation of a certified Stage II vapor recovery system was required for all gas stations in Thurston County dispensing greater than 1.2 million gallons of gasoline per year; however, this requirement ended on December 31, 2002. Currently, the only provisions requiring a station to have Stage II is WAC 173-491-050(5)(c). ORCAA's evaluation for whether Safeway-Yelm is required to have a Stage II gasoline vapor recovery system is below:

The owner or operator of a new or modified gasoline dispensing facility is required to have a Stage II vapor recovery system if a lot with a permanent residence is within the distance and throughput specifications of Table 1 in WAC 173-491-040(5)(c). Since this applicability determination only applies to new and modified gas stations, ORCAA used the most recent annual gasoline throughput available at the time of the proposed modification: 2,305,352 gallons of gasoline dispensed in calendar year 2022. The centroid of the pumps at Safeway-Yelm are 35 meters from the nearest point on the property line of the nearest lot on which a permanent residence is located. Since the Facility's most recent annual gasoline throughput is less than 3.5 million gallons per year, Stage II vapor recovery is not required by Chapter 173-491 WAC and, therefore, may be approved for removal.

## **Section 4. ORCAA's Approval Checklist**

### **4.1 Administrative Requirements**

Fees for processing a NOC application shall include Filing Fees according to ORCAA 3.3(b), any applicable Additional NOC Processing Fees according to ORCAA 3.3(c), and other costs according to ORCAA 3.3(d).

All fees associated with NOC Application (#23NOC1592) have been assessed according to ORCAA Rule 3.3 and have been paid by the applicant. Additional fees may be assessed depending on the amount of time taken to fully process the application, fulfill public noticing requirements and issue the Final Determination.

### **4.2 SEPA Review**

The State Environmental Policy Act (SEPA) under Chapter 197-11 WAC is intended to provide information to agencies, applicants, and the public to encourage the development of environmentally sound proposals. The goal of SEPA is to assure that significant impacts are mitigated.

ORCAA staff determined that this project is exempt from SEPA per WAC 197-11-800(3).

### **4.3 Regulatory Compliance and Applicability Evaluation**

ORCAA Rule 6.1.4(a)(1) requires the finding that a new source or modification to an existing source of air pollution in an attainment or unclassifiable area will comply with all applicable

federal emission standards including new source performance standards (NSPS), national emission standards for hazardous air pollutants (NESHAP), national emission standards for hazardous air pollutants for source categories (MACT standards) adopted under chapter 70A.15 of the Revised Code of Washington (RCW), and any applicable emissions standard of ORCAA.

ORCAA staff determined that the Facility will comply with ORCAA’s Rule 6.1.4(a)(1). A summary of relevant air regulations and standards and their applicability to the Facility is shown below.

**4.4 Reasonably Available Control Technology (BACT)**

ORCAA Rule 6.1.4(a)(2) requires the finding that a new source or modification to an existing source of air pollution in an attainment or unclassifiable area will employ best available control technology (BACT) for all pollutants not previously emitted or those emissions which would increase as a result of the new source or modification.

ORCAA staff determined that the Facility will comply with ORCAA Rule 6.1.4(a)(2). A summary of ORCAA’s BACT evaluation is included below.

**4.5 Title V Air Operating Permit**

An AOP is not required since facility-wide potential to emit is minor for all pollutants (see Table 2).

**4.6 Prevention of Significant Deterioration (PSD) Permitting**

A PSD permit not required since the proposed new stationary source or modification will result in a minor source with respect to the State’s PSD program in WAC 173-400-720.

**4.7 Public Involvement**

Public notice of ORCAA’s receipt of the NOC application, pursuant to ORCAA 6.1.3(a), was issued on April 4, 2023. No comments were received during the comment period. A mandatory public comment period was not required since the applicant did not request a limit on the potential to emit and the project’s potential to emit is less than the significant net increases outlined in Table 6.1(a) of ORCAA’s rules.

**Table 4: Relevant Standards Determined Applicable to the Facility**

Regulation Title <i>Citation</i>	Description	Reasoning/Basis
ORCAA Requirements, Prohibitions, and Performance Standards  <i>ORCAA Rules 4, 6, 7 and 8</i>	These general regulations may apply to any source or emission unit causing air pollution. A more detailed description of the general regulations is shown in Table A1 of the attachments.	These are general operating standards for all sources that emit air pollution



<p>General Requirements for Gasoline Dispensing Facilities</p> <p><i>ORCAA Rule 8.12.2</i></p>	<p>Implementing ORCAA regulations, this rule requires gasoline storage tanks with a capacity greater than 2,000 gallons to be equipped with submerged fill lines when upgraded, but not later than December 31, 1998.</p>	<p>The tanks are greater than 2,000 gallons</p>
<p>General Requirements for Gasoline Dispensing Facilities</p> <p><i>ORCAA Rule 8.12.3</i></p>	<p>Implementing ORCAA regulations, this rule requires all gasoline dispensing facilities (GDFs) that have an annual gasoline throughput greater than 100,000 gallons to install a Stage I vapor recovery system by December 31, 1998 or when upgraded, whichever is sooner.</p>	<p>The throughput is greater than 100,000 gallons per year</p>
<p>General Regulations for Air Pollution Sources</p> <p><i>Chapter 173-400 WAC</i></p>	<p>Implementing the WCAA, these regulations may apply to any source where any emission unit is required to use RACT or BACT. A more detailed description of the general regulations is shown in the Attachments.</p>	<p>The project included removal of emission control technology at an existing stationary source.</p>
<p>Emission Standards and Controls for Sources Emitting Gasoline Vapors</p> <p><i>WAC 173-491-040(4)</i></p>	<p>Implementing the WCAA, this standard applies to all gasoline storage tanks of the facilities defined in WAC 173-491-040(4)(a) including new gasoline dispensing facilities with a total gasoline nominal storage capacity greater than ten thousand gallons. The standard requires gasoline storage tanks to be equipped with submerged or bottom fill lines and fittings to vapor balance gasoline vapors with the delivery transport tank. It also prohibits the loading of gasoline into a storage tank equipped with vapor balance fittings from a transport tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.</p>	<p>This is an existing facility and the total gasoline nominal storage capacity is greater than 10,000-gallons.</p>
<p>Emission Standards and Controls for Sources Emitting Gasoline Vapors</p> <p><i>WAC 173-491-040(6)(c)</i></p>	<p>Implementing the WCAA, this standard establishes process specific provisions, testing, monitoring and recordkeeping for vapor recovery systems located at GDFs.</p>	<p>This standard applies to all GDFs that are subject to Chapter 173-491 WAC, and therefore applies to the Facility.</p>
<p>MACT: General Provisions</p> <p><i>Title 40 CFR Part 63, Subpart A</i></p>	<p>Implementing the FCAA, these provisions establish general requirements for reporting, testing, monitoring, and recordkeeping for facilities that are subject to a MACT standard. When applicable, requirements include submission of notifications to EPA summarizing operations, emissions, and compliance with regulations and limits as specified in the MACT standard.</p>	<p>The Facility is subject to a MACT standard.</p>
<p>National Regulations of Fuels and Additives</p> <p><i>Title 40 CFR Part 80</i></p>	<p>Implementing Section 80.22(j) of the FCAA, this regulation requires that after January 1, 1998, every retailer and wholesale purchaser-consumer of gasoline and methanol shall limit each nozzle from which gasoline or methanol is introduced into motor vehicles to a maximum fuel flow rate not to exceed 10 gallons per minute.</p>	<p>The Facility sells and purchases gasoline.</p>

<p>MACT: Gasoline Dispensing Facilities</p> <p><i>Title 40 CFR Part 63, Subpart CCCCCC</i></p>	<p>Implementing the FCAA, this standard establishes national emission limitations, testing, recordkeeping, reporting, and management practices for the loading of gasoline storage tanks at each gasoline dispensing facility (GDF). The affected source to which this MACT applies is each GDF that is an area source. The affected equipment includes each storage tank and P/V relief valve, and all associated equipment (including cargo tanks) necessary to unload product into the storage tanks. Gasoline dispensing MACT requirements are dependent on monthly gasoline throughput and when applicable equipment at the GDF was installed. For the Facility, the following applies:</p> <p><u>Level 1 Requirements (&lt; 10,000 gallons/month)</u></p> <ol style="list-style-type: none"> <li>1. Each owner or operator of a GDF subject to 40 CFR Section 60.1116 shall submit an Initial Notification by May 09, 2008 for existing GDFs and within 15 days for new reconstructed GDFs;</li> <li>2. Minimize all spills and clean up spills expeditiously;</li> <li>3. Cover gasoline containers and storage tank fill pipes with gasketed seals;</li> <li>4. Minimize gasoline sent to open collection systems;</li> </ol> <p><u>Level 2 Requirements (10,000 up to 100,000 gallons/month)</u></p> <ol style="list-style-type: none"> <li>5. Load storage tank (≥250 gallons capacity) using submerged fill with discharge that is no more than the following from the bottom of the tank: 12 inches for pipes installed on before November 09, 2006 or maintain a gasoline level never to fall below the pipe discharge and demonstrate by documentation;</li> <li>6. Each owner or operator of a GDF subject to 40 CFR Section 60.1117 shall submit a Notification of Compliance Status within 60 days of the applicable date specified in 40 CFR Section 63.11113;</li> </ol> <p><u>Level 3 Requirements (100,000 gallons or more per month)</u></p> <ol style="list-style-type: none"> <li>7. Each owner or operator of an affected source shall keep records of the occurrence and duration of each malfunction of operation or the air pollution control and monitoring equipment, and any action taken to correct the malfunction;</li> <li>8. All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnection;</li> <li>9. The vapor line from the gasoline storage tank to the gasoline cargo tank shall be vapor tight;</li> <li>10. The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches water pressure or 5.9 inches water vacuum during product transfer;</li> <li>11. The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be</li> </ol>	<p>The Facility is a GDF and is an area source.</p> <p>Based on the historical throughput outlined in the NOC application, the Facility is subject to Level 1, Level 2, and Level 3 requirements.</p>
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	<p>designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations;</p> <p>12. Liquid fill connections for all systems shall be equipped with vapor-tight caps;</p> <p>13. P/V relief valves shall be installed on the storage tank vent pipes. The pressure specifications for P/V relief valves shall be: a positive pressure setting of 2.5 to 6.0 inches of water and a negative pressure setting of 6.0 to 10.0 inches of water. The total leak rate of all PV vent valves at an affected facility, including connections, shall not exceed 0.17 cubic foot per hour at a pressure of 2.0 inches of water and 0.63 cubic foot per hour at a vacuum of 4 inches of water; The vapor balance system shall be capable of meeting the static pressure performance requirement of the following equation, with an initial pressure of two inches of water:</p> $P_f = 2e^{-500.887/v} \quad (1)$ <p>Where:  <math>P_f</math> is the minimum allowable final pressure in inches of water  <math>v</math> is the total ullage affected by the test in gallons</p> <p>14. Each new gasoline storage tank shall be equipped with a dual-point vapor balance system.</p>	
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**Table 5: Relevant Standards Determined Inapplicable to the Facility**

Regulation Title Citation	Description	Reasoning/Basis
<p>Requirements for New Sources of Toxic Air Pollutants</p> <p>Chapter 173-460 WAC</p>	<p>Implementing the WCAA, these regulations may apply to any source emitting TAP, where the source must quantify the increase of each TAP emission, employ T-BACT, and prevent air pollution maintaining an air quality that will protect human health.</p>	<p>Per WAC 173-400-110(4)(xl), the State of Washington declared gasoline dispensing facilities, that are subject to chapter 173-491 WAC, as categorically exempt from Chapter 173-460 WAC. Since the Facility is subject to chapter 173-491 WAC, ORCAA is following suit with this statewide decision and will not impose T-BACT or other requirements specific to Chapter 173-460 WAC.</p>
<p>Emission Standards and Controls for Sources Emitting Gasoline Vapors</p> <p>WAC 173-491-040(5)(c)-(m)</p>	<p>Implementing the WCAA, this standard applies to new and modified GDFs with an annual gasoline throughput of 1,500,000 or greater and requires them to employ a Stage II vapor recovery system, if an adjacent property with a permanent residence is located within the threshold distance corresponding to the specific throughput specified in Table 1 of WAC 173-491-040(5)(c).</p>	<p>The Facility has a historical annual throughput of 2.3 million gallons per year. The centroid of the pumps is 35 meters from the nearest point on the property line of the nearest lot on which a permanent residence is located. Based on this</p>

		information, Stage II is not required under WAC 173-491-040(5)(c) and removal of the Stage II system can be approved.
NSPS: Volatile Organic Liquid Storage Vessels  <i>Title 40 CFR Part 60, Subpart Kb</i>	Implementing the FCAA, this standard applies to facilities that have storage vessels with a capacity greater than or equal to 75 cubic meters that are used to store volatile organic liquids (including petroleum liquid) for which construction, reconstruction, or modification commenced after July 23, 1984.	Per Subpart Kb § 60.110b(d)(6): "This subpart does not apply to...storage vessels located at gasoline service stations".

### Section 5. Best Available Control Technology (BACT)

New stationary sources of air pollution and modifications to existing stationary sources of air pollution are required to use BACT to control all pollutants not previously emitted, or those for which emissions would increase as a result of the new source or modification. BACT is defined in Chapter 173-400 WAC as, *"an emission limitation based on the maximum degree of reduction for each air pollutant subject to regulation under chapter 70A.15 RCW emitted from or which results from any new or modified stationary source, which the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such source or modification through application of production processes and available methods, systems, and techniques, including fuel cleaning, clean fuels, or treatment or innovative fuel combustion techniques for control of each pollutant."*

ORCAA staff determined that the information summarized in Table 6 below meets BACT for this case.

Pollutant	BACT Applicable?	BACT Determination	BACT Implementation
NO <sub>x</sub> , CO, PM, SO <sub>2</sub>	No	N/A– These pollutants are not emitted from gasoline dispensing facilities	
VOC	yes	<ul style="list-style-type: none"> <li>▪ Controlling displaced vapors during loading and breathing of gasoline storage tanks with the existing Stage I EVR system</li> <li>▪ Multi-product dispensing units</li> <li>▪ Gasoline storage tanks equipped with submerged fill lines</li> </ul>	<ul style="list-style-type: none"> <li>▪ Stage I vapor recovery system performance testing</li> <li>▪ Periodic maintenance and inspection of the existing Stage I EVR system and new dispensing equipment components</li> <li>▪ Implementation of a self-inspection schedule and log addressing equipment defects and malfunctions</li> </ul> <p><i>The corresponding requirements are outlined in ORCAA Rule 8.12.</i></p>


### Section 6. ORCAA’s Final Determination

The following conditions of approval were determined necessary for assuring compliance with applicable air regulations and standards and protecting air quality. Recommended conditions of approval will become effective once the Approval Order is issued, and will supersede the Order of Approval for 00NOC055.

- 1. Approved Equipment.** The Stage II vapor recovery system removal as described in Notice of Construction application No. 23NOC1592 and the associated Final Determination is approved for construction and operation subject to conditions in this Order of Approval. *[Regulatory Basis: ORCAA 6.1(a); ORCAA 6.1.2(l); 40 CFR part 52.2470(c), Table 6]*

This Final Determination documents ORCAA staff's determinations with respect to the applicable criteria of approval in ORCAA Rule 6.1 and the Washington State Implementation Plan under 40 CFR part 52.2470(c), Table 6. ORCAA staff recommends approval of Safeway-Yelm's proposed removal of the existing Stage II vapor recovery system, provided the condition identified in Section 6 of this Final Determination is implemented through an enforceable Order of Approval (AKA: Air Permit). Emissions calculations, modeling summary and other data supporting this Final Determination are provided as attachments.

~ end of section ~

  
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**PREPARED BY: Lauren Whybrew** **Date** 6/21/23

  
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**REVIEWED BY: Mark V. Goodin, P.E.** **Date** 6/22/23

Applicable Performance Standards that apply to Safeway - Yelm

Title Citation	Brief Description (Consult rule/regulation for specific requirements)	Applies to
Registration ORCAA Regulation 4	Requires facilities that are minor sources of emissions to register annually with ORCAA and pay annual registration fees.	Safeway – Yelm will continue to be a minor source requiring registration.
Annual Registration Fees ORCAA Rule 3.1	Requires payment of annual registration fees to ORCAA based in part on air pollutants emitted during the previous year.	Safeway – Yelm is required to register and pay annual registration fees.
Initial Notification ORCAA Rule 4.3(a)&(b); 4.3(f)	Requires facilities subject to registration to register by submitting an initial notification with the information in ORCAA Rule 4.3(b) within 30 days from: 1) Commencement of operation of any new or recommissioned stationary source; 2) Change in ownership of existing registered stationary source. The notification must be signed by the owner or operator or by the agent appointed by the owner.	Applies to Safeway-Yelm
Administrative Change Notification ORCAA Rule 4.3(e); 4.3(f)	Requires facilities to notify ORCAA of any changes to administrative information within 30 days from the change taking place including, but not limited to, contact names, address, phone numbers, and permanent shut down or decommissioning of a stationary source. The notification must be signed by the owner or operator or by the agent appointed by the owner.	Applies to Safeway-Yelm
Annual and/or Periodic Reports ORCAA Rule 4.3(c)&(d); 4.3(f)	Requires stationary sources to submit reports with information directly related to the registration program when requested by the Agency within 30 days of receipt of the request. The submittal must be signed by the owner or operator or by the agent appointed by the owner.	Applies to Safeway-Yelm
Interference or Obstruction ORCAA Rule 7.1	Prohibits willfully interfering with or obstructing the Executive Director or any Agency employee in performing any lawful duty.	Applies generally to all air pollution sources
False or Misleading Statements ORCAA Rule 7.2	Prohibits any person from willfully making a false or misleading statement to the Board or its representative as to any matter within the jurisdiction of the Board.	Applies generally to all air pollution sources
Unlawful Reproduction or Alteration of Documents ORCAA Rule 7.3	Prohibits reproducing or altering, or causing to be reproduced or altered, any order, registration certificate or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any provision of these Regulations or any other law.	Applies generally to all air pollution sources

Title Citation	Brief Description (Consult rule/regulation for specific requirements)	Applies to
Display of Orders and Certificates ORCAA Rule 7.4	Any order or registration certificate required to be obtained by these Regulations shall be available on the premises designated on the order or certificate. In the event that the Agency requires order or registration certificate to be displayed, it shall be posted. No person shall mutilate, obstruct, or remove any order or registration certificate unless authorized to do so by the Board or the Executive Director.	The Approval Order issued in conjunction with this NOC approval must be retained on site.
General Requirements WAC 173-400-040(1)(c) ORCAA Rule 8.3	All emissions units are required to use reasonably available control technology (RACT).	Applies generally to all air pollution sources.
Visible Emissions WAC 173-400-040(2) ORCAA Rule 8.2(a)	Prohibits emissions with opacity of greater than 20% for more than three (3) minutes in any one hour.	Applies generally to all air pollution sources
Sulfur Dioxide WAC 173-400-040(7)	No person shall cause or allow the emission from any emissions unit in excess of one thousand ppm of sulfur dioxide on a dry basis, corrected to seven percent oxygen for combustion sources, and based on the average of any period of sixty consecutive minutes.	Applies generally to facilities that emit Sulfur Dioxide.
Control Equipment Maintenance and Repair ORCAA Rule 8.8	ORCAA Rule 8.8 requires that all air contaminant sources keep any process and/or air pollution control equipment in good operating condition and repair.	Applies generally to all air pollution control devices.
Fallout WAC 173-400-040(3) ORCAA Rule 8.3(e)	Prohibits particulate emissions from any source to be deposited, beyond the property under direct control of the owner or operator of the source, in sufficient quantity to interfere unreasonably with the use and enjoyment of the property upon which the material was deposited.	Applies generally to all air pollution sources.
Fugitive Emissions WAC 173-400-040(4)(a) ORCAA Rule 8.3(c)	The owner or operator of any emissions unit engaging in materials handling, construction, demolition, or other operation which is a source of fugitive emission shall take reasonable precautions to prevent the release of air contaminants from the operation.	Applies generally to any activity that results in fugitive emissions.
Odor WAC 173-400-040(5) ORCAA Rule 8.5	ORCAA Rule 8.5 contains general requirements for controlling odors and a general prohibition of odors that unreasonably interfere with the use or enjoyment of a person's property.	Applies generally to all air pollution sources.
Emissions Detrimental to Persons or Property WAC 173-400-040(6) ORCAA Rule 7.6	Prohibits causing or allowing the emission of any air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.	Applies generally to all air pollution sources

Title Citation	Brief Description (Consult rule/regulation for specific requirements)	Applies to
Concealment and Masking  WAC 173-400-040(8) ORCAA Rule 7.5	Prohibits installation or use of any device or means to conceal or mask emissions of an air contaminant, which causes detriment to health, safety, or welfare of any person, or causes damage to property or business.	Applies generally to all air pollution sources
Fugitive Dust  WAC 173-400-040(9)	The owner or operator of a source or activity that generates fugitive dust must take reasonable precautions to prevent that fugitive dust from becoming airborne and must maintain and operate the source to minimize emissions.	Applies to any activity that results in fugitive dust.
Excess Emissions Provisions  WAC 173-400-107; WAC 173-400-108 ORCAA 8.7	Requires excess emissions be reported to the Agency as soon as possible and within 24 hours and establishes criteria qualifying excess emissions as unavoidable.	Applies generally to all air pollution sources
Record Keeping and Reporting.  ORCAA Rule 8.11	Requires the following: 1. Maintenance of records on the nature and amounts of emissions and other related information as deemed necessary by ORCAA; 2. Reporting of emissions to ORCAA upon request.	Required of all facilities registered with ORCAA.
Gasoline Dispensing Facilities  ORCAA Rule 8.12	Contains requirements and performance standards for gasoline dispensing facilities.	Applies to gasoline dispensing facilities.
Emission Standards and Controls for Sources Emitting Gasoline Vapors  WAC 173-491-040(4)	Implementing the WCAA, this standard applies to all gasoline storage tanks of the facilities defined in WAC 173-491-040(4)(a) including new gasoline dispensing facilities with a total gasoline nominal storage capacity greater than ten thousand gallons. The standard requires gasoline storage tanks to be equipped with submerged or bottom fill lines and fittings to vapor balance gasoline vapors with the delivery transport tank. It also prohibits the loading of gasoline into a storage tank equipped with vapor balance fittings from a transport tank equipped with vapor balance fittings unless the vapor balance system is attached to the transport tank and operated satisfactorily.	Safeway - Yelm
Emission Standards and Controls for Sources Emitting Gasoline Vapors  WAC 173-491-040(6)(c)	Implementing the WCAA, this standard establishes process specific provisions, testing, monitoring and recordkeeping for vapor recovery systems located at GDFs.	Safeway - Yelm
MACT: General Provisions  Title 40 CFR Part 63, Subpart A	Implementing the FCAA, these provisions establish general requirements for reporting, testing, monitoring, and recordkeeping for facilities that are subject to a MACT standard. When applicable, requirements include submission of notifications	Safeway - Yelm



Title Citation	Brief Description (Consult rule/regulation for specific requirements)	Applies to
	to EPA summarizing operations, emissions, and compliance with regulations and limits as specified in the MACT standard.	
National Regulations of Fuels and Additives  <i>Title 40 CFR Part 80</i>	Implementing Section 80.22(j) of the FCAA, this regulation requires that after January 1, 1998, every retailer and wholesale purchaser-consumer of gasoline and methanol shall limit each nozzle from which gasoline or methanol is introduced into motor vehicles to a maximum fuel flow rate not to exceed 10 gallons per minute.	Safeway - Yelm
MACT: Gasoline Dispensing Facilities  <i>Title 40 CFR Part 63, Subpart CCCCC</i>	Implementing the FCAA, this standard establishes national emission limitations, testing, recordkeeping, reporting, and management practices for the loading of gasoline storage tanks at each gasoline dispensing facility (GDF). The affected source to which this MACT applies is each GDF that is an area source. The affected equipment includes each storage tank and P/V relief valve, and all associated equipment (including cargo tanks) necessary to unload product into the storage tanks. Gasoline dispensing MACT requirements are dependent on monthly gasoline throughput and when applicable equipment at the GDF was installed.	Safeway - Yelm

# OLYMPIA REGION CLEAN AIR AGENCY

2940 Limited Lane NW - Olympia, Washington 98502 - 360-539-7610 – Fax 360-491-6308

## FORM 1- NOTICE OF CONSTRUCTION

TO CONSTRUCT - INSTALL - ESTABLISH OR MODIFY AN AIR CONTAMINANT SOURCE

**Form 1 Instructions:**

1. Please complete all the fields below. **This NOC application is considered incomplete until signed.**
2. If the application contains any confidential business information, please complete a Request of Confidentiality of Records ([www.orcaa.org](http://www.orcaa.org)).
3. Duty to Correction Application: An applicant has the duty to supplement or correct an application. Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application must, upon becoming aware of such failure or incorrect submittal, promptly submit supplementary factors or corrected information.

<b>Business Name:</b> Safeway Inc.	<b>For ORCAA use only</b>
<b>Mailing Address:</b> 16300 SE Evelyn Street - Clackamas, OR 97015	File No: <u>952</u> County No: <u>67</u> Source No: <u>2418</u> Application No: <u>23 NOC 1592</u>
<b>Physical Address of Project or New Source:</b> Safeway 1619 -1109 E. YELM AVE - YELM, WA 98597	Date Received: <div style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">                     Received                      MAR 23 2023                      ORCAA                 </div>
<b>Billing Address:</b> 16300 SE Evelyn Street - Clackamas, OR 97015	
<b>Project or Equipment to be installed/established:</b> Gasoline dispensers will be retrofitted to utilize traditional hoses, existing balance gasoline hoses will be removed.	
Anticipated startup date: <u>4</u> / <u>3</u> / <u>23</u> Is facility currently registered with ORCAA? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
This project must meet the requirements of the State Environmental Policy Act (SEPA) before ORCAA can issue final approval. Indicate the SEPA compliance option: <input type="checkbox"/> SEPA was satisfied by _____ (government agency) on ___/___/___ (date) - Include a copy of the SEPA determination <input type="checkbox"/> SEPA threshold determination by _____ (government agency) is pending - Include a copy of the environmental checklist <input type="checkbox"/> ORCAA is the only government agency requiring a permit - Include ORCAA Environmental Checklist <input type="checkbox"/> This project is exempt from SEPA per _____ (WAC citation).	
<b>Name of Owner of Business:</b> Shawn Carter-Elton	<b>Agency Use Only</b>
<b>Title:</b> Fuel and Convenience Sales Manager	EXEMPT FROM NOTICE OF CONSTRUCTION Date <u>6/28/2023</u> ORCAA
Email: <u>shawn.carter-elton@safeway.com</u> Phone: <u>503-704-2683</u>	
<b>Authorized Representative for Application (if different than owner):</b> Jason M. Tuggle	
<b>Title:</b> Service Director Mascottec Equipment	
Email: <u>jtuggle@mascottec.com</u> Phone: <u>509-630-6669</u>	
I hereby certify that the information contained in this application is, to the best of my knowledge, complete and correct.	
<b>Signature of Owner or Authorized Representative: (sign in Blue Ink)</b>	
	Date: <u>3/20/2023</u>
<b>IMPORTANT:</b> Do not send via email or other electronic means. ORCAA must receive Original, hardcopy, signed application and payment prior to processing application.	