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Permitting Requirements for Gasoline Dispensing Facilities

Frequently Asked Questions
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1. What is a gasoline dispensing facility?

A. A gasoline dispensing facility (GDF) means any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment.

2. What are the permitting requirements for a GDF?

A. An owner or operator of a GDF with monthly throughput ⁽¹⁾ < 10,000 gallons of gasoline is exempt from obtaining a registration permit or standard/general air permit. A GDF with monthly throughput ⁽¹⁾ ≥ 10,000 gallons but < 100,000 gallons is required to register the GDF with the Air Quality Division of the Linn County Public Health Department (LCPH AQD). A GDF with monthly throughput ⁽¹⁾ ≥ 100,000 gallons are required to apply for and obtain a standard/general air permit. The construction permit exemption for retail gasoline and diesel fuel handling facilities (LCCO 10.5(9)"k") was modified to include the registration and permitting requirement. See Question 3 for further clarification on why this registration and permitting requirement is occurring now rather than in 2008 when the rule was initially promulgated by EPA.

⁽¹⁾ *Monthly throughput* means the total volume of gasoline that is loaded into, or dispensed from, all gasoline storage tanks at each GDF during a month. Monthly throughput is calculated by summing the volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the current day, plus the total volume of gasoline loaded into, or dispensed from, all gasoline storage tanks at each GDF during the previous 364 days, and then dividing that sum by 12.

3. Why was the exemption (LCCO 10.5(9)"k") changed to include the registration requirement?

A. On January 10, 2008 U.S. EPA issued an air regulation that contains substantial requirements for GDF in an effort to reduce hazardous air pollutants. These regulations cover **ALL** GDF and have different requirements depending on the amount of gasoline throughput of the facility. The LCPH AQD determined that registration of GDF would help ensure that owners and operators are aware of the new regulations and that they are in compliance. The registration forms guide owners and operators through a brief series of questions to determine if the GDF is affected by the federal regulations.

The federal regulation that applies to GDF can be found at:

<http://www.epa.gov/ttn/atw/area/arearules.html> - National Emission Standard for Hazardous Air Pollutants for Gasoline Dispensing Facilities (40 CFR Part 63 Subpart CCCCCC).

Furthermore, once U.S. EPA promulgated regulations pertaining to GDF, the LCCO 10.5(9)"k" exemption no longer applies pursuant to LCCO 10.5(9):

9. Exemptions from the Authorization to Install Permit and Permit to Operate Requirements. The provisions of §10.5 shall not apply to the following equipment, **except when** Prevention of Significant Deterioration Standards (567 IAC 22.5); New Source Performance Standards (40 CFR Part 60 NSPS), (567 IAC 23.1(2), (§10.9(2)); Emission Standards for Hazardous Air Pollutants (40 CFR Part 61 NESHAP), (567 IAC 23.1(3), (§10.9(3)); or **Emission Standards for Hazardous Air Pollutants for source categories (40 CFR Part 63 NESHAP)**, (567 IAC 23.1(4), (§10.9(4) are applicable)).

LCCO 10.5(9)"k" "Retail gasoline and diesel fuel handling facilities" states:

The owner or operator of a retail gasoline dispensing facility (GDF) that is subject to applicable national emission standards for hazardous air pollutants (NESHAP) may not use this exemption in accordance with §10.5(9) unless the monthly throughput is less than 10,000 gallons of gasoline.

The owner or operator of an existing, or prior to installing, modifying or reconstructing a GDF which has a monthly throughput ≥ 10,000 < 100,000 gallons of gasoline, must submit to the department a completed registration, on forms provided by the department, certifying that the GDF is in compliance with the following federal regulations:

1. National emission standards for hazardous air pollutants (NESHAP) for gasoline dispensing facilities (40 CFR Part 63, Subpart CCCCCC).

The owner or operator of an existing, or prior to installing, modifying or reconstructing a GDF which has a monthly throughput \geq 100,000 gallons of gasoline, must apply for a locally required permit pursuant to §10.5.

In summary, rather than requiring every GDF to apply for a standard air construction permit the department is requiring the following:

- 1) A GDF with a monthly throughput $<$ 10,000 gallons are not required to submit any paperwork.
- 2) A GDF with a monthly throughput \geq 10,000 gallons and $<$ 100,000 gallons must submit a Registration Permit.
- 3) A GDF with monthly throughput \geq 100,000 gallons must submit a Standard/General Permit.

The Department determined that a tiered approach would be less burdensome for each particular facility and the agency while still ensuring the facility meets its obligatory compliance requirements with the federal regulations. This process and time to develop the forms while balancing other priorities led to the delay in requiring registrations and/or Standard/General Air Permits for GDF.

4. Am I required to register my GDF which has a monthly throughput $<$ 10,000 gallons?

A. No. While the GDF is still an affected source and subject to the National Emission Standard for Hazardous Air Pollutants for Gasoline Dispensing Facilities, Subpart CCCCCC requirements under §63.11116, a Registration Permit is **not** required. You may refer to the registration permit as it delineates the applicable requirements for GDF with monthly throughput $<$ 10,000 gallons of gasoline.

5. What if my GDF has a monthly throughput $<$ 10,000 gallons historically, however I exceed that threshold?

A. The GDF is now subject to the requirements of §63.11117. A Registration Permit is required and is available for download at <http://www.linncleanair.org/Content/Regulations/Requirements-for-Gasoline-Dispensing-Facilities.aspx>.

6. What are the requirements for my GDF which has a monthly throughput $>$ 100,000 gallons?

A. The owner or operator must complete and submit a GDF Standard/General Permit for a GDF of that size. The GDF Standard/General Permit is available for download at <http://www.linncleanair.org/Content/Regulations/Requirements-for-Gasoline-Dispensing-Facilities.aspx>.

7. How much are the Registration Permit and General air permit cost?

A. The application fee for a Registration Permit is \$50 and the General air permit is \$200 (current as of July 1, 2013) The Department is only able to accept cash or check (made payable to the Linn County Treasurer) at this time. Owners and operators of GDF who must obtain a Registration Permit and/or General air permit also pay a recurring fee annually (currently \$50 for each Registration Permit and \$90 for each Standard/General Permit as of July 1, 2013).

8. Do we need to keep the registration form on-site with the GDF or can we keep it at our central office?

A. It is acceptable to keep the registration forms at a central location. The Department will provide the owner confirmation the registration form has been received.

9. Where do I send the registration form?

A. Send one copy of the registration form to the Air Quality Division, Linn County Public Health Department, 501 13th St. NW, Cedar Rapids, Iowa 52405. A copy does not need to be sent to the Iowa DNR or U.S. EPA. The Registration Permit and/or General Permit must be signed.

10. What happens after I submit the registration form and/or General air permit to the Air Quality Division?

A. The LCPH AQD will process the Registration Permit and/or Standard/General air permit which you will be returned a copy. If you have other air contaminant sources at your facility, you should remember to include **all** registered GDF in your potential to emit calculations. Title V facilities will also have to included registered GDF in their Title V applications. Because registered GDF are subject to NSPS and/or NESHAP requirements, they cannot be considered insignificant units for Title V.