

AIR POLLUTION CONTROL PERMIT TO CONSTRUCT

Permittee Name: Tesoro High Plains Pipeline Company, LLC	Permit Number: ACP-18353 v1.0
Permittee Address: 1611 East Century Avenue, Suite 300 Bismarck, ND 58503	Source Description: Synthetic Minor Source Area HAP Source
Source Name & Location: Charlson Station Lat/Long: 48.011328, -102.879743 NE ¼, SE ¼, Sec. 6, T152N, R95W McKenzie County, North Dakota	Source Type: Crude Oil Storage: Pipeline/LACT
Date of Application:	N/A (Department initiated)

Pursuant to Chapter 23.1-06 of the North Dakota Century Code, the North Dakota Air Pollution Control Rules (North Dakota Administrative Code [NDAC] 33.1-15), and in reliance on statements and representations heretofore made by the permittee (i.e., owner) designated above, a Permit to Construct (PTC, also referred to as 'permit') is hereby issued authorizing such permittee to construct and initially operate the source unit(s) listed in Condition 1 at the location designated above. The source may be operated under this PTC until a Permit to Operate (PTO) is issued. This PTC is subject to all applicable rules and orders now or hereafter in effect of the North Dakota Department of Environmental Quality (Department), state and federal regulations, and to any conditions specified below:



James L. Semerad
Director
Division of Air Quality

Date: 10/12/2026

1. Project and Facility Emission Units:

This PTC does not affect the operation of the facility emission units and does not allow for construction of any new equipment at the facility. As a result of this permit, the existing 400 barrel crude oil storage tanks (EUs 2 through 4) will be subject to federally enforceable synthetic minor emission limits.

ACP-18353 v1.0_AQEA Memo details the facility wide emission profile and regulation analysis associated with this permit.

Table 1-1 lists all the permitted emission units associated with Charlson Station.

Table 1-1: Facility Emission Units

Emission Unit Description	Emission Unit (EU)	Emission Point (EP)	Air Pollution Control Equipment
20,000 barrel (840,000 gallon) external floating roof crude oil storage tank (1959) (Tank 7207)	1	1	Submerged Fill Pipe (SFP) and External Floating Roof
Three 400 barrel (16,800 gallon) fixed roof crude oil storage tanks with blending trucked-in condensate	2 through 4	5	SFP and Tank Vapor Flare
Tank Vapor Flare	5	5	N/A

1. Applicable Standards, Restrictions and Miscellaneous Conditions:

A. Closed Vent System (CVS) Requirements:

- 1) Must be designed to collect and route all vapors from the storage vessels (EUs 2 through 4) to the control device (100% collection efficiency is assumed during normal operation).
- 2) Must be operated with no detectable emissions during normal operations, as determined using auditory, visual, and olfactory inspections or optical gas imaging.
- 3) Must be monitored annually. Annually is defined as a 12-month calendar period.
- 4) If the CVS contains a bypass, the permittee must track hours the bypass is open on a rolling 12-month period and either:

- a) Secure the bypass in the non-diverting position using a car-seal or a lock-and-key configuration; or,
- b) Install a flow indicator at the bypass inlet and maintain and operate it with an alarm system that notifies the nearest field office when the bypass opens and vapors are diverted away from the control device. Records of each time the alarm is activated must be maintained for a period of five (5) years.

B. Vapor Combustion Device (VCD)¹ (EU 5) Requirements:

- 1) Must be operated at all times when vapors are vented from the storage vessels (EUs 2 through 4) through the CVS to the VCD.
- 2) Must be operated with no visible emissions during normal operations, except for periods not to exceed a total of 1 minute during any 15-minute period.
- 3) Must be equipped and operated with an automatic ignitor or a continuous burning pilot which must be maintained in good working order per NDAC 33.1-15-07-02.
 - a) Pilot flame presence must be monitored using a thermocouple or other equivalent device, and records of pilot flame outages and/or control device downtime must be maintained. If an automatic ignitor is used in lieu of a pilot, the ignitor must be monitored weekly by listening for the actuator to ensure that the ignitor is in operation.
- 4) Records of downtime must be kept on at least an hourly basis. Only periods in which potentially recoverable vapors are generated from any controlled storage vessel are considered in this period.
- 5) Must be operated according to the manufacturer's specifications.

2. Emission Unit Limits:

Emission limits from the operation of the source unit(s) identified in Table 1-1 of this PTC are as follows in Table 2-1. Source units not listed are subject to the applicable emission limits specified in NDAC 33.1-15.

¹ i.e., flare, combustor, or other functionally equivalent combustion control device.

Table 2-1: Summary of Permit Emission Limits

EU Description	EU	EP	Pollutant / Parameter	Limit ^A
Storage tanks	2 through 4	5	VOC	< 6 tons/yr, Condition 3.A
			CH ₄	< 20 tons/yr, Condition 3.A
Flare	5	5	Opacity	0% ^B

^A Emission limits apply to tank battery.

^B Flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 1-minute during any 15-minute period.

A. Emission restriction for storage vessel grouping (EUs 2 through 4) (to remain non-affected facilities under NSPS OOOOb):

- 1) Emissions are restricted to less than 6 tpy VOC and 20 tpy methane for the above storage vessel grouping (**cumulative**) on a 12-month rolling basis.
- 2) Emissions must be calculated using records of monthly throughput and any model or calculation methodology for working, breathing, and flashing emissions that are generally accepted under NSPS OOOOb.
- 3) Records of monthly storage vessel battery throughput, emission calculations used to demonstrate compliance, and all periods of uncontrolled releases must be kept for a period of five (5) years.
- 4) Must calculate storage vessel emissions using the following equation:

$$VOC_{post} = VOC_{pre}(1 - DRE \cdot Uptime)$$

Where:

VOC_{post} = VOC emissions in tpy, 12-month rolling average (post-control)

VOC_{pre} = VOC emissions in tpy routed through the CVS (pre-control)

DRE = destruction efficiency during uptime (95%)

$Uptime$ = hours that the VCD was operating normally with CVS bypass closed divided by the number of hours that vapors were generated, for the 12-month rolling period (ratio between 0 to 1)

3. Emission Testing Requirements:

The Department may require the permittee to conduct tests to determine the emission rate of air contaminants from the source. The Department may observe the testing and may specify testing methods to be used. A signed copy of the test results shall be furnished to the Department within

60 days of the test date. To facilitate preparing for and conducting such tests, and to facilitate reporting the test results to the Department, the permittee shall follow the procedures and formats in the Department's Emission Testing Guideline.

Applicable requirement: NDAC 33.1-15-01-12

4. General Conditions (Action Required):

A. Modification:

Any alteration, repair, expansion, or change in the method or physical operation of the source which results in the emission of an additional type or greater amount of air contaminants, or which results in an increase in the ambient concentration of any air contaminant is considered a modification and must be reviewed and approved by the Department before implementation. The Department must be notified 10 days in advance of any significant deviations from the application. The issuance of this PTC may be suspended or revoked if the Department determines that a significant deviation has been or is to be made without the proper review or approval.

Applicable requirement: NDAC 33.1-15-14-02.9.d

B. Like-Kind Emission Unit Replacement:

This permit allows the permittee to replace an existing emission unit with a like-kind unit. Replacement is subject to the following conditions:

- 1) The replacement unit is subject to the same emission limits and performance testing requirements—both state and federal—as the existing unit. The facility must comply with any additional federal standards (e.g. NSPS, MACT) triggered by the replacement.
- 2) The Department must be notified within 10 days of replacement. The date of manufacture of the replacement unit and any additional federal applicability must be included in the notification.
- 3) The replacement unit must operate in the same manner without increasing throughput and have equal or less emissions than the unit it is replacing.
- 4) Testing, if applicable, must be conducted to confirm compliance with emission limits within 180 days after start-up of the replacement unit. Emergency units are not required to test if replaced by a like-kind unit.

Applicable requirement: NDAC 33.1-15-14-02.9.d

C. Annual Emission Inventory/Annual Production Reports:

The permittee must submit an annual emission inventory report and/or an annual production report upon Department request on forms approved by the Department.

Applicable requirement: NDAC 33.1-15-14-02.9.d

D. Malfunction Notification:

The permittee must notify the Department of any malfunction which can be expected to last longer than 24 hours and can cause the emission of air contaminants in violation of applicable rules and regulations. Using empirical estimates of emission rates, the permittee must conservatively estimate if the malfunction can cause noncompliance.

Applicable requirement: NDAC 33.1-15-01-13.2.a

E. Transfer of Permit to Construct:

The holder of a PTC may not transfer such permit without prior approval from the Department.

Applicable requirement: NDAC 33.1-15-14-02.11

5. General Conditions (Obligations):

A. Operation:

Operation of the facility must continue to comply with information previously submitted to the Department. Any operations not listed in this permit are subject to all applicable NDAC 33.1-15 requirements. At all times, including periods of startup, shutdown, and malfunction, the permittee must, to the extent practicable, maintain and operate any affected facility—including associated air pollution control equipment—in a manner consistent with good practice for minimizing emissions.

Applicable requirements: NDAC 33.1-15-12, NDAC 33.1-15-22

B. Recordkeeping:

The permittee must maintain any compliance monitoring records required by this permit or applicable requirements for a period of at least five years (unless otherwise stated) from the date of the monitoring sample, measurement, report or application. Support information may include all calibration and maintenance records, all original strip-chart recordings and computer printouts for continuous monitoring instrumentation, and copies of all reports required by the permit.

Applicable requirements: NDAC 33.1-15-14-02.9.d

C. Control of Organic Compound Emissions:

The permittee must comply with all applicable requirements of NDAC 33.1-15-07, which establishes requirements for the construction of organic compound facilities related to closed-vent systems, control devices, and seals and for the control of VOC vapors using a continuously burning pilot flare or other equally effective control device.

D. Internal Combustion Engine Emissions Restricted:

The permittee must comply with all applicable requirements of NDAC 33.1-15-08-01, which restricts the operation of internal combustion engines which emit, from any source, unreasonable and excessive smoke, obnoxious or noxious gas, fumes or vapor.

E. Restriction of Fugitive Emissions:

The release of fugitive emissions must comply with the applicable requirements in NDAC 33.1-15-17, which restricts particulate matter and gaseous fugitive emissions that would violate other regulations.

F. Permit Invalidation:

This permit must be effective from the date of its issuance unless suspended, revoked or surrendered. The violation of any condition of this permit may result in revocation or suspension of the permit or other appropriate enforcement action. If any provision or application of a provision of this permit is held invalid in any circumstance, the remainder of this permit must remain valid.

Applicable requirement: NDAC 33.1-15-14-02.9

G. Nuisance or Danger:

This permit must in no way authorize the maintenance of a nuisance or a danger to public health or safety.

Applicable requirements: NDAC 33.1-15-02-03, NDAC 33.1-15-14-02.9.c

H. Right of Entry:

Any duly authorized officer, employee, or agent of the Department may enter and inspect any property, premise, or place at which the source is located at any time for the purpose of ascertaining compliance with NDAC 33.1-15. The Department may inspect monitoring equipment, conduct tests, and take samples of air contaminants, fuel, processing material, and other materials, which affect or may affect the emission of air contaminants from any source. The Department must have the right to access and copy any records required by the Department.

Applicable requirement: NDAC 33.1-15-01-06, NDCC 23.1-06-11

6. State Enforceable Conditions (Not Federally Enforceable):

A. Emissions of Odorous Substances Restricted:

The permittee must not discharge into the ambient air any objectionable odorous air contaminant which measures seven odor concentration units or greater.

Applicable requirement: NDAC 33.1-15-16