


MEMO TO : Crude Oil Storage and Loadout Facilities

FROM : James L. Semerad 
Director
Division of Air Quality

RE : Crude Oil Truck Loadout VOC Emissions Compliance Requirements

DATE : July 13, 2020

Volatile organic compounds (VOC) emissions from all crude oil storage and truck loadout facilities are subject to Chapter 33.1-15-07 of the North Dakota Air Pollution Control Rules (Rules). Subsection 33.1-15-07-02.1 states:

No person may cause or permit the emission of organic compounds gases and vapors, except from an emergency vapor blowdown system or emergency relief system, unless these gases and vapors are burned by flares, or an equally effective control device as approved by the department. Minor sources, as determined by the department and not subject to New Source Performance Standards (NSPS), may be granted exemptions to this subsection.

The Department considers the operation of crude oil storage and truck loadouts across North Dakota to be normal operations. A temporary or long-term lack of crude oil pipeline transport access is not considered by the Department to be an emergency; therefore, VOC emissions from truck loadout operations must be adequately controlled.

VOC emissions from crude oil truck loadouts are considered adequately controlled for purposes of compliance with the above-referenced Subsection if emissions are controlled by a flare, vapor recovery unit, or equally effective control device approved by the Department. Uncontrolled crude oil truck loadout operations are considered by the Department to be sources of minor significance and not subject to the control requirements of Subsection 33.1-15-07-02.1 if maximum expected VOC emissions are ≤ 20 tons per year (tpy).

To be considered adequately controlled for the purposes of demonstrating compliance with the requirements of Subsection 33.1-15-07-02.1 of the Rules, crude oil truck loadout operations at a facility must either be controlled in accordance with the requirements of this policy memorandum or a site-specific written determination must be obtained from the Department indicating that emissions from each crude oil truck loadout are adequately controlled.

Owners/operators of upstream facilities that commence crude oil truck loading, which results in a subsequent increase in VOC emissions due to changes in crude oil pipeline transport access, or for any other reason, must submit an amended facility registration to the Department within 30 days of the change of operations. The amended facility registration must include updated emissions calculations.

In the event that a facility exceeds 100 tpy of a criteria pollutant (VOC, CO, NO_x, PM or SO₂), 10 tpy of a single hazardous air pollutant (HAP), or 25 tpy of combined total HAPs, the owner/operator is required to submit a Title V Permit to Operate application. The Title V Permit to Operate application must be submitted within 12 months of exceeding the Title V threshold. It is incumbent on all owners/operators to track facility-wide actual 12-month rolling total emissions and ensure their availability upon Department request.

All owners/operators required to install control equipment to comply with the requirements of Subsection 33.1-15-07-02.1 of the Rules must have the required control equipment installed and operating on or before November 3, 2020. Failure to install required control equipment will subject the owner/operator of the facility to enforcement action.

If you have any questions concerning the above, you may contact Craig Thorstenson of my staff at 701-328-5198 or cthorstenson@nd.gov for further assistance.

JLS/CJ:saj