

Ben Allen
Air Quality Division
Oregon Department of Environmental Quality

Dear Mr. Allen:

Thank you for your intriguing question of February 1, 1996, regarding how requirements applicable to ships docked at a Title V facility are addressed in the Title V permit. You specifically asked "if a ship docks at a Title V permitted facility, and both ship and facility are owned by the same entity, is [OAR 340-030-0470 which requires ships to minimize soot blowing and comply with opacity and particulate emission standards,] an applicable requirement which should be in the Title V permit?"

As you suggested, this issue has been raised before with regards to PSD. In that area, EPA has concluded that, for the purposes of calculating emissions from a facility, all emissions from ships docked at the facility must be included in the overall facility calculations, regardless of ownership. This includes both facility related emissions (e.g., loading and unloading of product) and emissions related solely to ship operations (e.g., ship generator emissions.) This inclusion of ship emissions with facility emissions, for the purposes of new source review, is logical since the emissions generated by the ships would not exist if the facility did not exist. Nor would the facility exist without the ships.

Even when there is common ownership, though, the facility may not reasonably be expected to control all shipboard emissions. For example, the facility generally has little ability to assure that the docked ships comply with OAR 340-030-0470 which requires ships to comply with opacity and particulate standards. However, a permit could require that the facility assure that the ships at its dock have appropriate equipment to connect to the facility to minimize emissions.

This is consistent with how EPA addresses tanker trucks at bulk gasoline terminals. All emissions from the trucks, while they are at the terminal, are included in the terminal's emissions calculations. The terminal is not responsible for assuring that the trucks' catalytic converters are operational or that they use appropriate fuels in their engines. The terminal is responsible, though, for assuring that the tankers are properly vented and have other required equipment for gasoline transfer.

To answer your specific question: no, OAR 340-030-0470 is not an applicable requirement of the Title V permitted facility.

Of course, this in no way relieves the ships from the requirement to comply with 0470, it only relieves the facility from the responsibility for assuring that the ships comply.

I hope that this information is useful. Please call me at (206) 553-4303 if you have questions or other issues.

Sincerely,

Elizabeth Waddell
Environmental Scientist