

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DATE: July 14, 1978

SUBJECT: PSD Requirements

FROM: Stuart N. Roth, Attorney
General Enforcement Branch

TO: Libby Scopino, (EN-341)
Stationary Source Enforcement Division

On Monday, 10 July 1978, we spoke about the applicability of the recently published PSD regulations to a proposal submitted by the Seaview Petroleum Company. The primary issue concerned the meaning of 40 CFR Section 52.21(b) (2)(ii)(C) as applied to petroleum and petroleum product storage and transfer facilities. It was your advice that a change of the material stored or transferred would not be subject to the PSD regulations, notwithstanding the potential to increase emissions by the requisite amounts, if prior to 6 January 1975, the storage and transfer facilities were capable of handling the material intended to be stored and transferred, and that no change to a permit issued prior to 7 August 1977 would be required to allow such use.

Please advise me immediately if your understanding of our conversation differs from that summarized above.

cc: Richard Biondi (EN 341)
DSSE
Mike Trutna, OAQPS
Jehuda Menczel, 2 FT-AF