



United States Environmental Protection Agency Air Quality Permit by Rule for New or Modified Minor Sources of Air Pollution in Indian Country

<https://www.epa.gov/tribal-air/tribal-minor-new-source-review>

Questionnaire for Notification of Coverage under the Air Quality Permit by Rule for New or Modified True Minor Source Gasoline Dispensing Facilities in Indian Country

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Version 1.0

Does the Permit by Rule apply to my facility?

The following questionnaire is intended to help you, the facility owner or operator, determine whether or not you are eligible for the Air Quality Permit by Rule for New or Modified True Minor Source Gasoline Dispensing Facilities in Indian Country. You are not required to complete this questionnaire and it is not necessary to gain coverage under the Permit by Rule for New or Modified True Minor Source Gasoline Dispensing Facilities. This questionnaire does not cover all of the Permit by Rule requirements and does not guarantee approval of a true minor source preconstruction permit under this program.

**This Permit by Rule is not available for use by gasoline dispensing facilities
within the geographic boundaries of the State of California.**

Description of Gasoline Dispensing Facilities

A gasoline dispensing facility is any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, nonroad vehicle or equipment, including a nonroad vehicle or nonroad engine used solely for competition. This Gasoline Dispensing Facilities Questionnaire is for gasoline dispensing facilities that are not major sources of air pollution and that are located, or planning to locate, within Indian country.

About this Questionnaire

The questions focus on general information pertaining to your existing or future gasoline dispensing facility. The questionnaire is not meant to be exhaustive and only requires knowledge of basic facility information, including fuel throughput.

You should continue with this Questionnaire if you meet all of the following criteria:

- You plan to construct a true minor source gasoline dispensing facility that dispenses gasoline for resale or non-resale purposes OR you plan to modify an existing, true minor source gasoline dispensing facility that dispenses gasoline for resale or non-resale purposes;
- Your new or modified true minor source gasoline dispensing facility is located within Indian country;
- You do not know whether your facility needs a permit, or if you do not know the attainment status of your area and you want to find out whether you should seek the Permit by Rule for a gasoline dispensing facility; and
- You intend to satisfy the processes that the U.S. Environmental Protection Agency (EPA) has made available in the document entitled "Procedures to Address Threatened and Endangered Species and Historic Properties for New or Modified True Minor Sources in Indian Country Seeking Air Quality Permits by Rule" to address threatened and endangered species and historic properties.

More Information

The definition of “modification” and “Potential to Emit” (or “PTE”) can be found at 40 CFR 49.152(d) and in the “Instructions” document. Additional information on the applicability of the Indian Country New Source Review (NSR) rule can be found at 40 CFR 49.153.

Information on the ozone attainment status of the area where your facility is located can be found at: <https://www.epa.gov/green-book>. You may also contact your reviewing authority for information on your attainment status.

Please contact your reviewing authority if you have questions or need assistance. A list of reviewing authorities, their areas of coverage, and contact information can be found in Attachment D to the Permit by Rule for True Minor Source Gasoline Dispensing Facilities at 40 CFR 49.164 or visit: <https://www.epa.gov/tribal-air/tribal-minor-new-source-review>.

Sources eligible for the Permit by Rule for New or Modified True Gasoline Dispensing Facilities may also be subject to federal standards under 40 CFR 63 Subpart CCCCCC, National Emission Standards for Gasoline Dispensing Facilities; 40 CFR 60 Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; 40 CFR 60 Subpart JJJJ – Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; and 40 CFR 63 ZZZZ National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The conditions applicable to sources seeking coverage under this Permit by Rule are intended to be generally consistent with the requirements in 40 CFR 63 Subpart CCCCCC, 40 CFR 60 Subpart JJJJ, 40 CFR 60 Subpart IIII, and 40 CFR 63 Subpart ZZZZ. However, compliance with the applicable requirements in these provisions is required independent of the conditions in the Permit by Rule, and not all requirements applicable under these provisions are necessarily included in the Permit by Rule. The Background Document for the Permit by Rule identifies the specific requirements in Subparts CCCCCC, IIII, JJJJ, and ZZZZ that are intended to be included in the Permit by Rule. The EPA’s brochure for Subpart CCCCCC is available here: <http://www.epa.gov/ttn/atw/area/gdfb.pdf>.

Questionnaire for Gasoline Dispensing Facilities

Part 1: Does my Gasoline Dispensing Facility Need or Qualify for a True Minor Source Permit?

The following questions are meant to determine whether or not your gasoline dispensing facility needs or qualifies for the Permit by Rule.

1. Will the PTE of your facility be less than 250 tons per year (tpy) for particulate matter (PM, PM₁₀, or PM_{2.5}), VOC, nitrogen oxides (NO_x), carbon monoxide (CO), and sulfur dioxide (SO₂), each individually? The emissions from your facility may be calculated using the PTE calculator provided at <https://www.epa.gov/tribal-air/tribal-minor-new-source-review>. Be sure to include all existing, new, and modified emission units at your facility.

☐ Yes ☐ No

If you answered ‘**No**,’ your source does not qualify for the Permit by Rule. Please contact your reviewing authority to apply for a site-specific permit. If you answered ‘**Yes**,’ continue on to the next question.

2. Will the PTE of your new facility or the increase in potential emissions from your modified existing facility be equal to or above the applicable minor NSR thresholds listed below for ANY pollutant? The emissions from your facility may be calculated using the PTE calculator available online at: <https://www.epa.gov/tribal-air/tribal-minor-new-source-review>. Be sure to include all new or modified emission units at your facility.

Pollutant	Attainment Area	Nonattainment Area
CO	10 tpy	5 tpy
PM	10 tpy	5 tpy
PM ₁₀	5 tpy	1 tpy
PM _{2.5}	3 tpy	0.6 tpy
SO ₂	10 tpy	5 tpy
NO _x	10 tpy	5 tpy
VOC	5 tpy	2 tpy

☐ Yes ☐ No

If you answered '**No**,' your source is exempt from the minor NSR program. Please contact your reviewing authority to confirm that your facility will not need a permit. If you answered '**Yes**,' continue on to the next question.

3. If located in a nonattainment area for any pollutant, will the PTE of your facility for the particular nonattainment pollutant be less than the NSR major source thresholds specified in the table below (based on nonattainment classification)? Be sure to include all existing, new, and modified emission units at your facility.

Pollutant	Nonattainment Classification	NSR Major Source Threshold
Ozone	Marginal	100 tpy of VOC or NO _x
	Moderate	100 tpy of VOC or NO _x
	Serious	50 tpy of VOC or NO _x
	Severe	25 tpy of VOC or NO _x
	Extreme	10 tpy of VOC or NO _x
PM ₁₀	Moderate	100 tpy
	Serious	70 tpy
CO	Moderate	100 tpy
	Serious	50 tpy
SO ₂ , NO ₂ , PM _{2.5}	No nonattainment classification	100 tpy

☐ Yes ☐ No ☐ Not Applicable

If you answered **'No,'** your source does not qualify for the Permit by Rule. Please contact reviewing authority to apply for a site-specific permit. If you answered **'Yes,'** continue on to Part 2 of the Questionnaire.

Information on the ozone attainment status of the area where your facility is located can be found at:
<https://www.epa.gov/green-book>.

Part 2: Does My Gasoline Dispensing Facility Qualify for the Permit by Rule?

The following questions are meant to determine whether or not your gasoline dispensing facility would qualify for the Permit by Rule for true minor source gasoline dispensing facilities.

1. Will your facility be located in a serious, severe, or extreme ozone nonattainment area and, after the proposed construction or modification project, be projected to dispense less than 8,000,000 gallons of fuel on a 12-month rolling total?

☐ Yes ☐ No ☐ Not Applicable

2. Will your facility be located in an attainment, unclassifiable or attainment/unclassifiable area for ozone or marginal/moderate nonattainment area for ozone, after the proposed construction or modification project, your facility is projected to dispense less than 25,000,000 gallons of fuel on a 12-month rolling total?

☐ Yes ☐ No ☐ Not Applicable

3. Will your facility be located in an ozone nonattainment area, after the proposed construction or modification project, be projected to dispense more than 2,100,000 gallons of fuel over a consecutive 12-month period;

☐ Yes ☐ No ☐ Not Applicable

4. Will your facility be located in an attainment, unclassifiable or attainment/unclassifiable area for ozone, after the proposed construction or modification project, your facility is projected to dispense less than 4,000,000 gallons of fuel over a consecutive 12-month period?

☐ Yes ☐ No ☐ Not Applicable

5. Will your facility utilize a Stage I vapor recovery system and will you assure that the required Stage I vapor recovery equipment is properly connected and in use at all times while gasoline is actively being dropped/delivered?

☐ Yes ☐ No

6. Do you intend to satisfy the procedures for threatened and endangered species and historic properties according to the processes provided by the EPA for the permits by rule?

☐ Yes ☐ No

Conclusion

If you answered **'Yes'** or **'Not Applicable'** to each of the questions in Part 2, your facility may qualify for coverage under the Permit by Rule for Gasoline Dispensing Facilities. If you believe based upon your answers in this questionnaire that your new or modified gasoline dispensing facility qualifies for Permit by Rule for Gasoline Dispensing Facilities, please contact your reviewing authority to obtain a permit application.

If you answered **'No'** to any of these questions, your facility may not qualify for coverage under the Permit by Rule for Gasoline Dispensing Facilities. Please contact your reviewing authority to confirm that your facility will not qualify for this Permit by Rule.