



Tidewater Regional Office
5636 Southern Boulevard, Virginia Beach, VA 23462

Phone #: (757) 518-2000

Registration #: 60979

Report #: 323818

Site Name: Kinder Morgan Bulk Terminals - Pier IX

CMS: N/A

Address: 1900 Harbor Access Rd, Newport News, VA 23607

Classification: Synthetic/Minor

Contacts: Joshua Miles: (757) 928-1545

Bradley Gilliatt: (757) 928-1520

AIR INSPECTION REPORT

The purpose of this inspection report is to document DEQ's observations and provide the compliance status for requirements applicable to the facility. Presented below are the following:

- **Inspection Details** describe this inspection report
- **Compliance Summary** lists individual requirements addressed in the report
- **Inspection Summary** provides an overview of the inspector's observations
- **Inspection Checklist** provides additional details and individual observations related to specific requirements

Inspection Details

Inspection Date: May 6, 2019
Inspection Reason: Conduct Enforcement Follow-up (off-site)
Inspector: Matthew Slemp
Inspection Result: In Compliance

Program	Code	Subpart
SIP		

Approvals

Inspector: Matthew Slemp
Signed Date: May 6, 2019

John Brandt
May 7, 2019

Supervisor: John Brandt

Registration #: 60979

Site Name: Kinder Morgan Bulk Terminals - Pier IX

Report #: 323818

(Continued)

Compliance Summary

In Compliance The applicable requirements listed in the table below were confirmed during the inspection to be in compliance.

Permit Effective Date or Regulation	Applicable Requirement

Inspection Summary

A Warning Letter was issued on April 12, 2019, regarding excess fugitive emissions from wet blasting operations at the Pier IX facility. A response to the Warning Letter was received by DEQ on April 29, 2019, outlining Kinder Morgan's stance and actions taken during wet blasting operations. DEQ believes reasonable precautions were not taken while wet blasting the upper portion of the conveyor and DEQ requests to be notified at least 15 days prior to commencing future wet blasting operations so an air compliance inspector can have the opportunity to observe the shrouding and wet blasting operations.

This report resolves the Warning Letter. If future non-compliance continues, DEQ may take additional enforcement actions.

Attachments:

Warning Letter response:

DEQ response.

Inspection Checklist

Effective Date:	Applicable Requirement #:	Compliance Status: In Compliance
Applicable Requirement		
Response to enforcement action received on time.		
Observation		
The response was due by May 2, 2019, and received by DEQ on April 29, 2019.		

15 April 2019

Matthew Slemp
Department of Environmental Quality
Tidewater Regional Office
5636 Southern Blvd
Virginia Beach, VA 23462

H.D. *[Signature]*
RECEIVED - DEQ
APR 29 2019
Tidewater Regional
Office

Re: Air Inspection Report - Report #:323542

Mr. Slemp,

In response to the 12 April 2019 letter alleging non-compliance with Kinder Morgan's Synthetic Minor air permit, Kinder Morgan disagrees with the Agency's compliance status determination.

Applicable Requirement referenced on page 3/3 of the 12 April 2019 report:

- *9VAC5-50-90 - "During the construction, modification or operation phase of a stationary source or any other building, structure, facility or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne."*

As referenced above, Kinder Morgan must take reasonable precautions to prevent particulate matter from becoming airborne during maintenance activities. In the inspection summary, Mr. Slemp noted the following:

- *"Plastic sheeting was placed below the conveyor so all material dripping or being dropped straight down from the conveyor could be caught for disposal."*
- *"The terminal manager stated the contractor had completely enclosed the lower portion of the conveyor with the shroud while it was being blasted"*
- *"The terminal manager did state he noticed the winds shift East on April 10, 2019, (around mid-morning) while crews were blasting he requested they shutdown 2 of the 3 units blasting at that time which were operating at locations higher on the conveyor and more susceptible to cause excess emissions caused by wind."*

The following precautions were used by Kinder Morgan to prevent particulate matter from becoming airborne:

1. **Maintenance Activity.** The conveyor system underwent wet-blasting and painting to maintain the conveyor structure. Paint is a protective coating for the structure and must be maintained in good condition to preserve the system. Normal use of the system causes the protective coating to break and fall off. The paint chips observed by the Agency are more likely from wear and tear of the system than from the wet-blasting activity. By cleaning and repainting, the facility is preventing particulate matter from being created on a regular basis.

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TERMINALS

2. The plastic shroud. The Agency observed a plastic shroud, which was used to direct blasted material to the collection area below and prevent cross-wind from carrying material away from the work area.
3. Wet-blasting method. Wet blasting is the preferred method by the terminal to capture particulate matter created in the act of removing paint from the conveyor. When wet-blasting, the process creates a mist that captures particulate matter and drops it to the plastic sheeting placed below for collection. This was achieved utilizing black beauty with the blastox additive. This is opposed to dry blasting, where all material becomes airborne and can be carried by the wind. Due to the excessive height of the conveyors, Kinder Morgan chose the safest and most environmentally responsible method to perform maintenance activities.
4. Active management of the activity. Kinder Morgan stopped maintenance operations when the Terminal Manager identified the changing weather conditions. High winds at great height made the wet-blasting difficult to compliantly operate. Kinder Morgan added significant expense to the activity by stopping and waiting for better conditions to compliantly operate as Kinder Morgan had hired a third party to perform the maintenance.
5. Housekeeping activity. The terminal cleaned the immediate work area and then walked the site to identify other paint debris for removal and proper disposal. The first Agency visit occurred after the first section of the job had been completed and was satisfied with what they saw. The active work site (remaining 50%) hadn't been cleaned up during the DEQ inspection but was done so with the same standard which was observed by the DEQ on the previously cleaned section.

These best management practices, observed by the agency at the terminal, demonstrate that Kinder Morgan clearly took reasonable precautions to prevent particulate matter from becoming airborne as stated in 9VAC5-50-90. 9VAC5-50-90 does not require that all activities be 100% emission-free.

Based on the Agency observed evidence of reasonable precautions taken to mitigate the creation of particulate matter, Kinder Morgan requests that the Agency rescind Report #323542 containing the allegation of non-compliance with a written confirmation of compliant operation.

Respectfully,

*Mal Lul for
Brad Gillatt*

Bradley Gillatt
Terminal Manager
Kinder Morgan
Pier IX/X Terminal



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COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

Matthew J. Strickler
Secretary of Natural Resources

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David K. Paylor
Director

Craig R. Nicol
Regional Director

May 6, 2019

Sent via email
bradley_gilliatt@kindermorgan.com

Mr. Bradley Gilliatt
Terminal Manager
Kinder Morgan – Pier IX/X Terminal

RE: Kinder Morgan Warning Letter Response Comments April 15, 2019
Registration #60979

Mr. Gilliatt,

Thank you for the Warning Letter (April 12, 2019) response dated April 15, 2019. In the response, Kinder Morgan maintains that reasonable precautions were being taken during a portion of the wet blasting operations.

However, as noted in the April 19, 2019 report (#323542), according to DEQ on-site observations and as noted by Kinder Morgan staff, intact containment shrouding had only been in use while wet blasting the lower portion of the conveyor and that as the contractors moved up the conveyor to continue blasting they stopped securing the shroud and it was no longer completely enclosed; the shroud being used was torn, tattered, and hanging loosely on the conveyor; paint flakes observed >250ft from the wet blasting location and onto the nearby roadway by several DEQ staff..

It is DEQ's understanding from Kinder Morgan that complete, intact shrouding will be in use next time similar blasting operations occur at the facility to contain paint flakes and similar air pollution from entering the environment.

DEQ requests to be notified at least 15 days prior to commencing future wet blasting operations such that an air compliance inspector can have the opportunity to observe the shrouding and wet blasting operations. If future non-compliance continues, DEQ may take additional enforcement actions.

Thank you, Kinder Morgan, and staff for your cooperation and attention to this matter and all of Kinder Morgan compliance efforts now and in the future. If you have any questions you may contact me at (757) 518-2186 or matthew.slemp@deq.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Slemp".

Matthew Slemp
Air Compliance Inspector

cc: John M. Brandt, DEQ Regional Air Compliance, Monitoring and Enforcement Manager (via email)