

New York State Department of Environmental Conservation
Facility DEC ID: 2610100105



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6101-00105/00017
Mod 0 Effective Date: 04/26/2002 Expiration Date: 04/25/2007
Mod 1 Effective Date: 11/07/2003 Expiration Date: 04/25/2007
Mod 2 Effective Date: 04/06/2005 Expiration Date: 04/25/2007

Permit Issued To: MOTIVA ENTERPRISES LLC
910 LOUISIANA ST OSP 2543
HOUSTON, TX 77002

Contact: SABRINA COX
MOTIVA ENTERPRISES INC
1100 LOUISIANA ST - SUITE 2200
HOUSTON, TX 77002
(713) 241-1618

Facility: MOTIVA ENTERPRISES LLC
25 PAIDGE AVE
BROOKLYN, NY 11222-1281

Contact: MARIO A D'ANTONIO
MOTIVA ENTERPRISES LLC
25 PAIDGE AVE
BROOKLYN, NY 11222-1281
(718) 338-4066

Description:

PERMIT DESCRIPTION
Motiva Enterprises, LLC
DEC ID # 2-6101-00105/00017 (Mod 2)

The Department has received an EPA Order to modify the Title V permit that was issued to Motiva Enterprises, LLC on 11/07/2003. This EPA Order is the result of responding to a petition submitted by NYPIRG.

The Title V permit for Motiva Enterprises, LLC, is modified as per the EPA Order, Petition # II-2002-05. The modified permit includes the following:



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1. Adding conditions to regulations 6 NYCRR 202-2.3 and 6 NYCRR 202-2.4 as applicable requirements of an emission statement. These conditions include required contents of an emission statement, and methods and procedures of an emission statement.
2. Adding two conditions to regulation 6 NYCRR 211.3 for general prohibitions - visible emissions limited. One condition for mandatory opacity provision, and the other condition is for periodic monitoring of opacity using Method 9.
3. Adding a condition to regulation 6 NYCRR 225-3.6 for severability. This new condition includes the recordkeeping and reporting requirements pertaining to the gasoline's RVP and shipping documentation.
4. Revising the condition for 6 NYCRR 229.5(c) to include a semi-annual reporting requirement with respect to the facility's average daily gasoline throughput (at the gasoline loading terminals).

s. These ten tanks

are of different volumes containing gasoline or petroleum distillates with internal floating roofs. The ten storage tanks, TANKS # 41, # 49, # 42, # 43, # 47, # 44, # 50, # 45, # 46 and # 48 correspond to Emission Sources 0000V, 0000X, 000II, 000IV, 000IX, 000VI, 000XI, 00III, 00VII & 0VIII, and correspond to Emission Controls T000V, T000X, T00II, T00IV, T00IX, T00VI, T00XI, T0III, T0VII, and TVIII, respectively.

6. Revising the condition for 6 NYCRR 229.3(e)(1) to include that whenever activities pertaining to the replacement of any liquid mounted seal are performed, a record detailing those activities pertaining to 6 NYCRR § 229.3(e)(1) will be generated and kept for 5 years.

7. Revising Process GDT in Emission Unit U-GTANK to include the following statement "The facility is 100 gallons/year."

8. Providing technical basis through facility's emission calculations for the relationship between the gasoline throughput limit of 526,900,000 gal/yr and the 10 ton individual HAP and 25 ton total HAPs emission threshold. The data supporting these numbers can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

9. Moving the condition for 6 NYCRR 225-3.3(a) from the state-side to the federal-side. Also, modifying the condition for 6 NYCRR 225-3.3(a) to state that all records and documentation pertaining to gasoline delivery at Motiva shall be maintained for at least five years from the date of delivery.

10. Explaining in the monitoring description for 6 NYCRR 229.3(d)(1), that this regulatory emission limit of gasoline vapors (VOC), which is 0.67 pounds per 1,000 gallons of gasoline loaded or unloaded (which is equivalent to 80 mg/liter) has been superseded by a new, more stringent emission limit of 7 mg/liter(6-hour rolling average). The 0.67 pounds/1000 gallons is equivalent to 80 mg/liter as shown below:

$$0.67 \text{ lbs}/1000 \text{ gal} \times 1 \text{ kg}/2.2046 \text{ lbs} \times (1,000,000 \text{ mg}/1 \text{ kg}) \times 1 \text{ gal}/3.785 = 80.29 \text{ mg}/\text{liter}$$

11. Clarifying the inspection frequency of the vapor collection and control systems per 40 CFR 60.113b(a)(1-4) to be every calendar quarter to ensure compliance with 6 NYCRR 229.3(a).

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12. Specifying that for the petroleum fixed roof tanks (Storage Tanks # 41, # 42, # 45 and # 46 in Emission Unit U-GTANK), at a minimum, an annual inspection frequency of the floating roof and secondary seals from the tank roof hatch is required.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: JOHN F CRYAN
 DIVISION OF ENVIRONMENTAL PERMITS
 ONE HUNTERS POINT PLAZA, 47-40 21ST STREET
 LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2

HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:

produce a copy of
A copy of this permit, including all referenced maps, drawings and special conditions, must be available the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 1-1: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 1-1.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 1-1.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 1-1.3:



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Permits are transferrable with the approval of the department unless specifically prohibited by the statute, ted prior to actual transfer of ownership.

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Expired by Mod No: 1

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Condition 1-2: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 1-2.1:

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

Condition 4: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Expired by Mod No: 1

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have

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materially changed since the permit was issued.

****** Facility Level ******

Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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910 LOUISIANA ST OSP 2543
HOUSTON, TX 77002

Facility: MOTIVA ENTERPRISES LLC
25 PAIDGE AVE
BROOKLYN, NY 11222-1281

Authorized Activity By Standard Industrial Classification Code:
5171 - PETROLEUM BULK STATIONS & TERMINALS

Mod 0 Permit Effective Date: 04/26/2002

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Mod 1 Permit Effective Date: 11/07/2003

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Mod 2 Permit Effective Date: 04/06/2005

Permit Expiration Date: 04/25/2007



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 23 6NYCRR 201-6: Emission Unit Definition
- 1-1 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 1-2 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 24 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 1-3 6NYCRR 201-6.5(e): Compliance Certification
- 1-4 6NYCRR 201-6.5(g): Non Applicable requirements
- 29 6NYCRR 202-2.1: Compliance Certification
- 2-1 6NYCRR 202-2.3: Required contents of an emission statement.
- 2-2 6NYCRR 202-2.4: Emission statement methods and procedures
- 30 6NYCRR 202-2.5: Recordkeeping requirements
- 2-3 6NYCRR 211.3: Visible Emissions Limited
- 1-5 6NYCRR 225-1.8(b): Compliance Certification
- 36 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 2-4 6NYCRR 225-3.3(a): Compliance Certification
- 1-6 6NYCRR 225.1(a)(3): Compliance Certification
- 1-7 6NYCRR 225.1(a)(3): Compliance Certification
- 1-8 6NYCRR 229.5: Compliance Certification
- 2-5 6NYCRR 229.5(c): Compliance Certification
- 49 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 50 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 51 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 52 40CFR 60, NSPS Subpart XX: Standards of Performance for Bulk Gasoline Terminals
- 2-6 40CFR 68: Accidental release provisions.

Emission Unit Level

- 67 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 68 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00VRU

- 2-7 6NYCRR 211.3: Compliance Certification
- 1-22 6NYCRR 225-1.8(c): Compliance Certification
- 76 6NYCRR 229.1(g)(5): VOC compliance
- 1-23 40CFR 60, NSPS Subpart XX: Compliance Certification
- 78 40CFR 60.502(b), NSPS Subpart XX: Compliance Certification
- 80 40CFR 60.502(f), NSPS Subpart XX: Truck loading compatibility
- 81 40CFR 60.502(g), NSPS Subpart XX: Vapor collection connection required
- 82 40CFR 60.502(h), NSPS Subpart XX: Pressure limit
- 83 40CFR 60.502(i), NSPS Subpart XX: Vent pressure limit
- 84 40CFR 60.502(j), NSPS Subpart XX: Monthly leak inspection
- 88 40CFR 60.505(d), NSPS Subpart XX: Untested truck notification records

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1-24 40CFR 63.420(a)(2), Subpart R: Compliance Certification

EU=U-00VRU,Proc=VRU

2-8 6NYCRR 229.3(d)(1): Compliance Certification
1-25 6NYCRR 230.4(e): Compliance Certification
1-26 6NYCRR 230.4(g): Compliance Certification
1-27 40CFR 60.502(e), NSPS Subpart XX: Compliance Certification
1-28 40CFR 60.502(j), NSPS Subpart XX: Compliance Certification
1-29 40CFR 60.505(b), NSPS Subpart XX: Compliance Certification
1-30 40CFR 60.505(c), NSPS Subpart XX: Compliance Certification

EU=U-00VRU,EP=00VRU,Proc=VRU

1-34 6NYCRR 229.3(d): Compliance Certification
96 6NYCRR 229.4: Compliance Certification

EU=U-ADTNK

1-35 6NYCRR 229.5(d): Compliance Certification

EU=U-ADTNK,Proc=ADT

1-36 6NYCRR 229.3(e)(2)(v): Compliance Certification

EU=U-GTANK

2-9 6NYCRR 229.3(a): Compliance Certification
1-38 6NYCRR 229.5(a): Compliance Certification

EU=U-GTANK,Proc=GDT

102 6NYCRR 229.3(e)(1): VOL fixed roof storage tank requirements

EU=U-GTANK,EP=0000V,Proc=GDT,ES=0000V

1-39 6NYCRR 229.3(a)(1): Compliance Certification
2-10 6NYCRR 229.3(e)(1): Compliance Certification

EU=U-GTANK,EP=000II,Proc=GDT,ES=000II

1-41 6NYCRR 229.3(a)(1): Compliance Certification
2-11 6NYCRR 229.3(e)(1): Compliance Certification

EU=U-GTANK,EP=00III,Proc=GDT,ES=00III

1-43 6NYCRR 229.3(a)(1): Compliance Certification
2-12 6NYCRR 229.3(e)(1): Compliance Certification

EU=U-GTANK,EP=00VII,Proc=GDT,ES=00VII

1-45 6NYCRR 229.3(a)(1): Compliance Certification
2-13 6NYCRR 229.3(e)(1): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

1-47 ECL 19-0301: Contaminant List



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- 103 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 2-14 6NYCRR 201-7: Facility Permissible Emissions
- *2-15 6NYCRR 201-7: Capping Monitoring Condition
- *2-16 6NYCRR 201-7: Capping Monitoring Condition
- *2-17 6NYCRR 201-7: Capping Monitoring Condition
- *2-18 6NYCRR 201-7: Capping Monitoring Condition
- *2-19 6NYCRR 201-7: Capping Monitoring Condition
- *2-20 6NYCRR 201-7: Capping Monitoring Condition
- *2-21 6NYCRR 201-7: Capping Monitoring Condition
- *2-22 6NYCRR 201-7: Capping Monitoring Condition
- *2-23 6NYCRR 201-7: Capping Monitoring Condition
- *2-24 6NYCRR 201-7: Capping Monitoring Condition
- *2-25 6NYCRR 201-7: Capping Monitoring Condition
- 2-26 6NYCRR 201-7.2: Facility Permissible Emissions
- 106 6NYCRR 211.2: Air pollution prohibited
- 1-49 6NYCRR 225-3.4(a): Compliance Demonstration
- 2-27 6NYCRR 225-3.6: Compliance Demonstration
- Emission Unit Level**
- 2-28 6NYCRR 201-7: Process Permissible Emissions
- 2-29 6NYCRR 201-7.2: Process Permissible Emissions

EU=U-00VRU,EP=00VRU,Proc=VRU

- *2-30 6NYCRR 201-7.2: Capping Monitoring Condition
- *2-31 6NYCRR 201-7.2: Capping Monitoring Condition

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

Item A: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6NYCRR Part 201-1.5

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the



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Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item F: Recycling and Salvage - 6NYCRR Part 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item H: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item I: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject



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to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item K: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item L: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item M: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit



renewal application.

Item N: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item O: Providing Information Upon Request - 6 NYCRR Part 201-6.5(a)(4)

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Item P: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item Q: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item R: Fees - 6 NYCRR Part 201-6.5(a)(7)

The owner and/or operator of a stationary source shall pay fees to the department consistent with the fee schedule authorized by 6 NYCRR Subpart 482-2.

Item S: Right to Inspect - 6 NYCRR Part 201-6.5(a)(8)

Upon presentation of credentials and other documents, as

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may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Item T: Severability - 6 NYCRR Part 201-6.5(a)(9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item U: Progress Reports and Compliance Schedules - 6 NYCRR Part 201-6.5(d)(5)

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive

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or corrective measures adopted.

Item V: Off Permit Changes - 6 NYCRR Part 201-6.5(f)(6)

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provisions of Title I of the Act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the Administrator and the Department with written notification in advance of the proposed changes within a minimum of 7 days as required by 6 NYCRR §201-6.5(f)(6).

Item W: Permit Shield - 6 NYCRR Part 201-6.5(g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or



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contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item X: Reopening for Cause - 6 NYCRR Part 201-6.5(i)

This Title V permit shall be reopened and revised under any of the following circumstances:

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits



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shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item Y: Required Emission Tests - 6 NYCRR Part 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item Z: Visible Emissions Limited - 6 NYCRR Part 211.3

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Item AA: Open Fires - 6 NYCRR Part 215

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item BB: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to



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the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item CC: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

The following conditions are subject to annual compliance certification requirements for Title V permits only.

**Condition 23: Emission Unit Definition
Effective between the dates of 04/26/2002 and 04/25/2007**

Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1(From Mod 2):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-00VRU

Emission Unit Description:

VAPOR RECOVERY UNIT: Vapors displaced from gasoline and denatured ethanol loading are processed in a vapor recovery unit. This unit uses two carbon adsorption beds alternately with a vacuum system employed to facilitate desorbtion.

Building(s): VRU

Item 23.2(From Mod 2):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-GTANK

Emission Unit Description:

THERE ARE TEN (10) STORAGE TANKS OF



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DIFFERENT VOLUMES CONTAINING GASOLINE OR PETROLEUM DISTILLATES, TANKS 41, 49, 42, 43, 47, 44, 50, 45, 46 AND 48. THESE GASOLINE OR PETROLEUM DISTILLATES STORAGE TANKS CORRESPOND TO EMISSION POINTS AND EMISSION SOURCE/CONTROL 0000V, 0000X, 000II, 000IV, 000IX, 000VI, 000XI, 00III, 00VII, and 0VIII RESPECTIVELY. ALL THESE STORAGE TANKS ARE FIXED ROOF TANKS WITH INTERNAL FLOATING ROOFS.

Building(s): GDTANKS

Item 23.3(From Mod 1):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-ADTNK

Emission Unit Description:

NINE STORAGE TANKS OF DIFFERENT VOLUMES CONTAINING GASOLINE ADDITIVES, INCLUDES BOTH VERTICAL AND HORIZONTAL TANKS. THERE ARE NINE (9) GASOLINE ADDITIVE TANKS, FOUR OF THESE ARE VERTICAL TANKS WITH CONE FIXED ROOFS, TANKS # 7, # 8, # 9 AND # 10. THE OTHER FIVE TANKS ARE HORIZONTAL, TANKS # 51, # 52, # 53, # 54, AND # 55. GASOLINE ADDITIVE TANKS # 7, # 55, # 8, # 9, # 53, # 51, # 10, # 52 AND # 54 CORRESPOND TO EMISSION POINTS AND EMISSION SOURCE/CONTROL 000XV, 000XX, 00XII, 00XIV, 00XIX, 00XVI, 0XIII, 0XVII and XVIII RESPECTIVELY. THE EMISSIONS FROM THESE ADDITIVE TANKS ARE INSIGNIFICANT.

Building(s): ADTANKS

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

**Condition 1-1: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 11/07/2003 and 04/25/2007**

Applicable Federal Requirement: 6NYCRR 201-6.5(c)



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Item 1-1.1:

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.3 of this Part 201.

Condition 1-2: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(c)(2)

Item 1-2.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 24: Compliance Certification

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)(ii)

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

Item 24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

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If any of the above conditions are met, the source must notify the permitting authority by telephone or facsimile based on the timetable listed in paragraphs (1) through (4) of this section. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of the occurrence. All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) through (4) above. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e),



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contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 1-3: Compliance Certification
Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(e)

Item 1-3.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-3.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions

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of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2003.

Subsequent reports are due on the same day each year



The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 1-4: Non Applicable requirements

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 201-6.5(g)

Item 1-4.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

(From Mod 1) 40CFR 60-K

Reason: NSPS for petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC is non-applicable for this facility because all of the ten (10) storage tanks were constructed and began operation on or before 1969 which is before the applicability dates of 40 CFR 60 Subpart K (6/11/1973 - 5/19/1978). Six storage tanks were constructed in 1945, two were constructed in 1960 and the remaining two storage tanks were constructed in 1969. A change in products stored in the storage tanks or installation of floating roof does not subject the storage tanks to the requirements of 40 CFR 60 Subpart K. The ten storage tanks are in Emission Unit U-GTANK and they are Tanks # 41, # 42, # 43, # 44, # 45, # 46, # 47, # 48, # 49 and # 50.

40CFR 60-Ka

Reason: NSPS for petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC is non-applicable for this facility because all of the ten (10) storage tanks were constructed and began operation on or before 1969 which is before the applicability dates of 40 CFR 60 Subpart Ka (5/18/1978 - 7/23/1984). Six storage tanks were constructed in 1945, two were constructed in 1960 and the remaining two storage tanks were constructed in 1969. A change in products stored in the storage tanks or installation of floating roof does not subject the storage tanks to the requirements of 40 CFR 60 Subpart Ka. The ten storage tanks are in Emission Unit U-GTANK and they are Tanks # 41, # 42, # 43, # 44, # 45, # 46, # 47, # 48,

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49 and # 50.

40CFR 60-Kb

Reason: NSPS for petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC is non-applicable for this facility because all of the ten (10) storage tanks were constructed and began operation on or before 1969 which is before the applicability date of 7/23/1984 for 40 CFR 60 Subpart Kb. Six storage tanks were constructed in 1945, two were constructed in 1960 and the remaining two storage tanks were constructed in 1969. A change in products stored in the storage tanks or installation of floating roof does not subject the storage tanks to the requirements of 40 CFR 60 Subpart Kb. The ten storage tanks are in Emission Unit U-GTANK and they are Tanks # 41, # 42, # 43, # 44, # 45, # 46, # 47, # 48, # 49 and # 50.

40CFR 63-R.427

Reason: 40 CFR 63 Subpart R is not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L VOC emission limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Conditions # 1-9 & 1-10 (Conditions for 6 NYCRR 231-2).

The condition for 40 CFR 63.427, Subpart R is applicable to this facility only if this facility does not comply with the requirements in 40 CFR 63.420(a) or (c) or (d), Subpart R. Otherwise, the facility has to comply with the following condition:

Continuous monitoring:

(a) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) as specified in paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this section, except as allowed in paragraph (a)(5) of this section. Motiva has chosen a vapor recovery unit that has a carbon adsorption/absorption system.

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(1) Where a carbon adsorption system is used, a continuous emission monitoring system (CEMS) capable of measuring organic compound concentration shall be installed in the exhaust air stream.

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall operate the vapor processing system in a manner not to exceed the operating parameter value for the parameter described in paragraphs (a)(1) and (a)(2) of this section, or to go below the operating parameter value for the parameter described in paragraph (a)(3) of this section, and established using the procedures in §63.425(b). In cases where an alternative parameter pursuant to paragraph (a)(5) of this section is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value. Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as specified above, shall constitute a violation of the emission standard in §63.422(b).

(c) Each owner or operator of gasoline storage vessels subject to the provisions of §63.423 shall comply with the monitoring requirements in §60.116b of this chapter, except records shall be kept for at least 5 years. If a closed vent system and control device are used, as specified in §60.112b(a)(3) of this chapter, to comply with the requirements in §63.423, the owner or operator shall also comply with the requirements in paragraph (a) of this section.

40CFR 63-R.428

Reason: 40 CFR 63 Subpart R is not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L VOC emission limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Conditions # 1-9 & 1-10 (Conditions for 6 NYCRR 231-2).

The condition for 40 CFR 63.428, Subpart R is applicable

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to this facility only if this facility does not comply with the requirements in 40 CFR 63.420(a)(2), Subpart R. Otherwise, the facility has to comply with the requirements in 40 CFR 63 Subpart R and the following condition:

The owner or operator shall:

(1) Operate the facility such that none of the facility parameters used to calculate the results under paragraph (a)(1) of 40 CFR 63-R.420 is exceeded in any rolling 30 day period. And at any time, there is a change or modifications to the facility parameters that will result in any expected HAP emission change, the facility will notify the Department and

(2) Maintain records and provide reports in accordance with the provisions of subdivision 40 CFR 63.428(i) or 40 CFR 63.428(j), as applicable, or

(3) Maintain records and provide reports in accordance with the provisions of 40 CFR 63.428 (a) through (h).

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

Condition 29: Compliance Certification
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 29.1:

The Compliance Certification activity will be performed for the Facility.

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April



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15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 2-1: Required contents of an emission statement.

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 202-2.3

Item 2-1.1:

(a) Emission statements shall include the following:

(1) Certification by a duly authorized representative. A duly authorized representative must sign a form provided by the Department to verify the truth, accuracy, and completeness of the emission statement. This certification shall state that, based on information and belief formed after reasonable inquiry by the duly authorized representative, the statements and information in the document are true, accurate, and complete. The certification shall include the full name, title, original signature, date of signature and telephone number of the duly authorized representative.

(2) Facility level information, consisting of:

(i) verification of full name of facility;

(ii) verification of parent company name;

(iii) verification of street address (physical location) of the facility;

(iv) verification of four digit SIC code(s) for the facility;

(v) calendar year reportable emissions.

(vi) total facility fuel use and fuel sulfur content and heat value (for combustion installations); and,

(vii) fugitive emissions.

(3) Emission point level information, consisting of:

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- (i) average hours of operation per day (peak ozone and carbon monoxide seasons);
 - (ii) average days of operation per week (peak ozone and carbon monoxide seasons);
 - (iii) weeks of operation per year (seasonal and annual);
 - (iv) hours of operation per year; and
 - (v) percentage annual throughput (percentage of annual activity by season).
 - (vi) verification of latitude and longitude.
- (4) Process level information, consisting of:
- (i) maximum heat input (for combustion installations);
 - (ii) quantity of fuels consumed (for combustion installations);
 - (iii) estimated actual annual reportable emissions, for each air regulated air pollutant emitted, (in units of pounds per year);
 - (iv) estimated emissions method (see 6 NYCRR Part 202-2.4(b));
 - (v) emission factor(s) (if used to determine actual emissions);
 - (vi) primary and secondary control equipment identification code(s);
 - (vii) control efficiencies achieved by the control equipment. The control efficiency should reflect the total control efficiency from all control equipment for a specific criteria group (e.g., VOCs and NOx). If the actual control efficiency is unavailable, the design efficiency or the control efficiency limit imposed by a permit shall be used;
 - (viii) annual process rate;
 - (ix) peak ozone season daily process rate.
- (b) Petroleum, volatile organic liquid, and fuel storage and distribution facilities must provide the following additional information:
- (1) tank capacity (including maximum and average liquid height, and working volume); and
 - (2) throughput associated with tanks and loading racks (including turnovers per year).
- (c) The Department shall provide instructions concerning the emission statements applicable to a particular facility, when the statement is mailed to the facility. These instructions shall include control equipment identification code(s) and estimated emissions method code(s).

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Condition 2-2: Emission statement methods and procedures
Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 202-2.4

Item 2-2.1:

Emission statements shall be submitted to the Department on or before April 15 each year for emissions of the previous calendar year.

(a) Emissions estimates shall be based on the owner's or operator's use of the following methods. For each instance, the owner or operator must utilize one of the following emissions estimation methods to represent actual emissions emitted during the calendar year.

- (1) stack samples or other emission measurements;
- (2) material balance using knowledge of the process;
- (3) national emission factors;
- (4) best engineering judgement (including manufacturers' guarantees);
- (5) state or local agency emission factors approved by EPA;
- (6) standard EPA emission factors (SCC emission factor). The Department shall assign the SCC to a particular facility. A source owner may request the Department to change an assigned SCC;
- (7) other published emission factors (please provide); and
- (8) other (please specify).

(NOTE: Emissions testing is generally not required for determining emissions to comply with this regulation. When monitoring or testing data is available and has been validated and verified by the Department and is still applicable to the operations during the reporting period, this monitoring or testing data should be used to calculate emissions for this reporting requirement. In the absence of validated monitoring or testing data, the facility should use the emissions estimation method which would yield accurate emissions data.)

(b) If a source owner or operator is required to use a specific monitoring method to demonstrate compliance with other applicable requirements, the Department may require that the emission estimates for the corresponding processes be based on information obtained from that monitoring method. The Department may reject the use of a proposed method for a particular process if it can be demonstrated that the method does not represent actual emissions.

(c) Any owner or operator of a reportable facility shall transmit the emission statement to the Department on forms acceptable to the Department. With the prior approval of the Department, an emission statement which meets the requirements of section 202-2.4 may be submitted on computer

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diskette or transmitted electronically in lieu of a written submission.

(d) The owner or operator may request that information submitted in emission statements be designated as a trade secret, in accordance with Part 616 of this Title. Data elements not considered to be confidential include: emissions, estimated emissions method, and the SCC. The Department will evaluate claims for confidentiality in accordance with Part 616 of this Title.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT
TO ANNUAL CERTIFICATIONS AT ALL TIMES**

The following federally enforceable permit conditions are mandatory for all Title V permits

and are subject to annual compliance certification requirements at all times.

Condition 30: Recordkeeping requirements

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 30.1:

(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT
TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 2-3: Visible Emissions Limited

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 211.3



Item 2-3.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 1-5: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 225-1.8(b)

Item 1-5.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator of a facility subject to 6NYCRR Part 201-6 who sells oil and/or coal must retain, for at least three years, records containing the following information:

- i. fuel analyses and data on the quantities of all oil and coal received; and
- ii. the names of all purchasers, fuel analyses and data on the quantities of all oil and coal sold.

Such fuel analyses must contain as a minimum:

- i. data on the sulfur content, ash content, specific gravity and heating value of residual oil;
- ii. data on the sulfur content, specific gravity and heating value of distillate oil; and
- iii. data on the sulfur content, ash content and heating

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value of coal.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).

**Condition 36: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 04/26/2002 and 04/25/2007**

Applicable Federal Requirement: 6NYCRR 225-1.8(d)

Item 36.1:

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

**Condition 2-4: Compliance Certification
Effective between the dates of 04/06/2005 and 04/25/2007**

Applicable Federal Requirement: 6NYCRR 225-3.3(a)

Item 2-4.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-4.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell or supply gasoline to a retailer or wholesale purchaser-consumer, having a Reid vapor pressure (RVP) greater than 9.0 pounds per square inch (psi) as sampled and tested by methods acceptable to the commissioner, during the period between May 1 through September 15 of each year beginning 1989.

Those records should identify who performed the test, when the fuel was delivered, when the test was performed, and the results of the test. The facility shall maintain records pursuant to 6 NYCRR 225-3 and must make the records available for inspection during normal business hours, at the location from which the gasoline was delivered, sold, or dispensed, to the commissioner's representative. The facility must also furnish copies of these records to the commissioner's representative upon

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request. All records and documentation required to be made or maintained in accordance with 6 NYCRR 225-3, including any calculations performed, shall be maintained for at least five years from the date of delivery.

Subpart 225-3 has been revised by NYSDEC to remove the gasoline oxygenate (oxyfuels) requirements. The RVP limits are still in place. The RVP limits are used as an ozone control measure. The oxygen limits have all been removed from the regulation, and were used as a carbon monoxide control measure in the Syracuse and NYC metropolitan areas. Both areas have attained the CO National Ambient Air Quality Standards, and EPA has determined that oxyfuels are no longer necessary for either area. In addition, the primary fuel additive used to increase oxygen content is methyl tertiary butyl ether (MTBE), a serious groundwater contaminant. New York State has banned the use of MTBE as a gasoline oxygenate additive beginning January 1, 2004 as per New York ECL 19-031(3)(b) due to environmental concerns over groundwater contamination. Motiva Enterprises LLC is replacing MTBE with denatured ethanol at this terminal, in order to meet this requirement.

The revision to subpart 225-3 became effective as of November 4, 2001.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: GASOLINE

Parameter Monitored: REID VAPOR PRESSURE

Upper Permit Limit: 9.0 pounds per square inch absolute

Reference Test Method: ASTM D323-99a

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2005.

Subsequent reports are due every 6 calendar month(s).

Condition 1-6: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 225.1(a)(3)



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Item 1-6.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate fuel oil (# 1 and # 2 oil) which contains sulfur in a quantity exceeding the limitations specified in Table 1 for 6 NYCRR 225-1.2(c), Table 2 for 6 NYCRR 225-1.2(d) and Table 3 for 6 NYCRR 225-1.2(d) of this section and as appropriate outside of the New York City area. The sulfur limit listed below (0.20 percent by weight) for distillates - number 1 and number 2 oil is for the New York City area.

The intent of 6 NYCRR 225-1.2 is to prohibit within a certain region the combustion of fuels with sulfur contents exceeding certain levels. The Motiva Brooklyn Terminal is located within the New York City area which has sulfur content limit of 0.30 percent by weight for residual fuel and 0.20 percent by weight for distillates.

However, Motiva markets and sells fuels outside of the New York City area. These areas have different fuel sulfur content standards specified in 6 NYCRR 225-1.2, Tables 1, 2 and 3. Thus, for reasons of commerce, Motiva will comply with a specified fuel sulfur limits as appropriate for the area where the product is being distributed.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.20 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).

Condition 1-7: Compliance Certification

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Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 225.1(a)(3)

Item 1-7.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any residual fuel (# 4, #5 and/or #6 fuel oil) which contains sulfur in a quantity exceeding the limitations specified in Table 1 for 6 NYCRR 225-1.2(c), Table 2 for 6 NYCRR 225-1.2(d) and Table 3 for 6 NYCRR 225-1.2(d) of this section and as appropriate outside of the New York City area. The sulfur limit listed below (0.30 percent by weight) for residual fuel (#4, #5 and/or #6 fuel oil) is for the New York City area.

The intent of 6 NYCRR 225-1.2 is to prohibit within a certain region the combustion of fuels with sulfur contents exceeding certain levels. The Motiva Brooklyn Terminal is located within the New York City area which has sulfur content limit of 0.30 percent by weight for residual fuel and 0.20 percent by weight for distillates.

However, Motiva markets and sells fuels outside of the New York City area. These areas have different fuel sulfur content standards specified in 6 NYCRR 225-1.2, Tables 1, 2 and 3. Thus, for reasons of commerce, Motiva will comply with a specified fuel sulfur limits as appropriate for the area where the product is being distributed.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).

Condition 1-8: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.5

Item 1-8.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-8.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a gasoline bulk plant, gasoline loading terminal, petroleum liquid storage tank, marine loading vessel facility, or volatile organic liquid storage tank subject to this Part must maintain the following records at the facility for a period of five years; a) capacities of petroleum liquid storage tanks subject to section 229.3(a) or (b) of the Part, in gallons; (b) average daily gasoline throughput per day for gasoline bulk plants subject to section 229.3 (c) of this Part, in gallons; (c) average daily gasoline throughput for gasoline loading terminals subject to section 229.3(d) of this Part, in gallons per day; (d) capacities of volatile organic liquid storage tanks, subject to section 229.3(e) of this Part, in gallons; and (e) daily gasoline throughput for marine vessel loading facilities subject to section 229.3(f) of this Part, in gallons.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 12 calendar month(s).

Condition 2-5: Compliance Certification

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.5(c)

Item 2-5.1:

The Compliance Certification activity will be performed for the Facility.

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Item 2-5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Recordkeeping of average daily gasoline throughput for gasoline loading terminals - Records must be maintained at the facility for five years.

The average daily throughput is calculating by dividing the annual throughput by the number of workdays during the 12-month period, which begins on January 1st and ends on December 31st. Therefore,

average daily throughput = 526,900,000 gallons/year x
365 days/year = 1,443,562 gallons/day

The facility is required to report its average daily gasoline throughput on a semi-annual (calendar) basis.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2005.

Subsequent reports are due every 6 calendar month(s).

Condition 49: EPA Region 2 address.

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 49.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Enforcement and Compliance Assurance



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625 Broadway
Albany, NY 12233-3258

Condition 50: Recordkeeping requirements.
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.7(b), NSPS Subpart A

Item 50.1:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 51: Facility files for subject sources.
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart A

Item 51.1:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 52: Standards of Performance for Bulk Gasoline Terminals
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60, NSPS Subpart XX

Item 52.1:

This facility must comply with the requirements of 40 CFR 60 Subpart XX.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT
TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

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Condition 2-6: Accidental release provisions.

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 40CFR 68

Replaces Condition(s) 1-21

Item 2-6.1:

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
 - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
 - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
C/O CSC
8400 Corporate Dr
Carrollton, Md. 20785

****** Emission Unit Level ******

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 67: Emission Point Definition By Emission Unit

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 201-6

Item 67.1(From Mod 2):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00VRU

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Emission Point: 00VRU
Height (ft.): 13 Diameter (in.): 12
NYTMN (km.): 4510.223 NYTME (km.): 588.533 Building: VRU

Item 67.2(From Mod 2):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-GTANK

Emission Point: 0000V
Height (ft.): 29 Diameter (in.): 36
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: GDTANKS

Emission Point: 000II
Height (ft.): 29 Diameter (in.): 36
NYTMN (km.): 4501.223 NYTME (km.): 585.533 Building: GDTANKS

Emission Point: 000III
Height (ft.): 29 Diameter (in.): 36
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: GDTANKS

Emission Point: 000VII
Height (ft.): 29 Diameter (in.): 36
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: GDTANKS

Item 67.3(From Mod 0):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00VRU

Emission Point: 0000I
Height (ft.): 13 Diameter (in.): 12
NYTMN (km.): 4510.223 NYTME (km.): 588.533 Building: VRU

Item 67.4(From Mod 0):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-ADTNK

Emission Point: 000XV
Height (ft.): 14 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Emission Point: 000XX
Height (ft.): 14 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS



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Emission Point: 00XII
Height (ft.): 14 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Emission Point: 00XIV
Height (ft.): 14 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Emission Point: 00XIX
Height (ft.): 8 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Emission Point: 00XVI
Height (ft.): 9 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Emission Point: 0XIII
Height (ft.): 8 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Emission Point: 0XVII
Height (ft.): 6 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Emission Point: XVIII
Height (ft.): 8 Diameter (in.): 6
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: ADTANKS

Item 67.5(From Mod 0):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-GTANK

Emission Point: 0000X
Height (ft.): 39 Diameter (in.): 36
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: GDTANKS

Emission Point: 000IV
Height (ft.): 29 Diameter (in.): 36
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: GDTANKS

Emission Point: 000IX
Height (ft.): 38 Diameter (in.): 36
NYTMN (km.): 4501.223 NYTME (km.): 588.533 Building: GDTANKS

Emission Point: 000VI

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Process Description:

GASOLINE/DISTILLATE. 1) CONTROL OF VAPOR LOSSES DUE TO STANDING AND WORKING OF STORAGE TANKS. 2) THE INTERNAL FLOATING ROOF TANK COMPARED WITH ATMOSPHERIC PRESSURE TANKS ACHIEVES A HIGH PERCENT REDUCTION OF EVAPORATION LOSS BECAUSE THE ROOF FLOATS ON THE PRODUCT AND AIR SPACE IS ALMOST COMPLETELY ELIMINATED.

THERE ARE TEN (10) STORAGE TANKS OF DIFFERENT VOLUMES CONTAINING GASOLINE OR PETROLEUM DISTILLATES, TANKS 41, 42, 43, 44, 45, 46, 47, 48, 49 AND 50. ALL THESE STORAGE TANKS ARE FIXED ROOF TANKS WITH INTERNAL FLOATING ROOFS.

STORAGE TANKS # 41, # 42, # 45 AND # 46 WILL HAVE THE FLEXIBILITY OF BEING USED FOR EITHER DENATURED ETHANOL STORAGE OR GASOLINE/PETROLEUM DISTILLATES STORAGE. TANKS # 41, # 42, # 45 AND # 46 MAY ALSO BE USED FOR DENATURED ETHANOL STORAGE.

THE FACILITY IS SUBJECT TO AND WILL OPERATE IN COMPLIANCE WITH A GASOLINE THROUGHPUT LIMIT OF 526,900,000 GALLONS/YEAR.

Emission Source/Control: T000V - Control
Control Type: FLOATING ROOF

Emission Source/Control: T000X - Control
Control Type: FLOATING ROOF

Emission Source/Control: T00II - Control
Control Type: FLOATING ROOF

Emission Source/Control: T00IV - Control
Control Type: FLOATING ROOF

Emission Source/Control: T00IX - Control
Control Type: FLOATING ROOF

Emission Source/Control: T00VI - Control
Control Type: FLOATING ROOF

Emission Source/Control: T00XI - Control



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Control Type: FLOATING ROOF

Emission Source/Control: T0III - Control
Control Type: FLOATING ROOF

Emission Source/Control: T0VII - Control
Control Type: FLOATING ROOF

Emission Source/Control: TVIII - Control
Control Type: FLOATING ROOF

Emission Source/Control: 0000V - Process
Design Capacity: 88,200 gallons

Emission Source/Control: 0000X - Process
Design Capacity: 445,200 gallons

Emission Source/Control: 000II - Process
Design Capacity: 88,200 gallons

Emission Source/Control: 000IV - Process
Design Capacity: 88,200 gallons

Emission Source/Control: 000IX - Process
Design Capacity: 407,400 gallons

Emission Source/Control: 000VI - Process
Design Capacity: 88,200 gallons

Emission Source/Control: 000XI - Process
Design Capacity: 445,200 gallons

Emission Source/Control: 00III - Process
Design Capacity: 88,200 gallons

Emission Source/Control: 00VII - Process
Design Capacity: 88,200 gallons

Emission Source/Control: 0VIII - Process
Design Capacity: 407,400 gallons

Item 68.3(From Mod 1):

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-ADTNK

Process: ADT

Source Classification Code: 4-07-999-97

Process Description:

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ADDITIVE STORAGE TANKS. FOUR OF THESE TANKS (# 7, # 8, # 9 & # 10) ARE VERTICAL TANKS WITH CONE FIXED ROOFS. THE OTHER FIVE TANKS (# 51, # 52, # 54, # 55 & # 56) ARE HORIZONTAL TANKS. THE EMISSIONS FROM THESE ADDITIVE TANKS ARE INSIGNIFICANT. THE FACILITY IS WILLING TO ACCEPT A FEDERALLY ENFORCEABLE LIMIT OF 526,900,000 GALLONS/YEAR OF GASOLINE THROUGHPUT.

Emission Source/Control: 000XV - Process
Design Capacity: 9,660 gallons

Emission Source/Control: 000XX - Process
Design Capacity: 10,000 gallons

Emission Source/Control: 00XII - Process
Design Capacity: 9,660 gallons

Emission Source/Control: 00XIV - Process
Design Capacity: 9,660 gallons

Emission Source/Control: 00XIX - Process
Design Capacity: 6,090 gallons

Emission Source/Control: 00XVI - Process
Design Capacity: 5,040 gallons

Emission Source/Control: 0XIII - Process
Design Capacity: 9,660 gallons

Emission Source/Control: 0XVII - Process
Design Capacity: 4,200 gallons

Emission Source/Control: XVIII - Process
Design Capacity: 5,040 gallons

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

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Condition 2-7: Compliance Certification

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 211.3

Item 2-7.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Item 2-7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Except as permitted by a specific part of Title 6 of the NYCRR, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - weather condition
 - was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

- 3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then a



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Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2005.

Subsequent reports are due every 6 calendar month(s).

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 1-22: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 225-1.8(c)

Item 1-22.1:

The Compliance Certification activity will be performed for:

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Emission Unit: U-00VRU

Item 1-22.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Data on the sulfur content, specific gravity and heating value of distillate oil will be maintained at the terminal for three (3) years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 12 calendar month(s).

Condition 76: VOC compliance

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.1(g)(5)

Item 76.1:

This Condition applies to Emission Unit: U-00VRU

Item 76.2:

The sources must maintain the VOC control requirements included in any existing permit, regulation, rule, administrative order, or any judicial order until compliance with the provisions of 6NYCRR Part 229 is demonstrated to the satisfaction of the commissioner.

Condition 1-23: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 40CFR 60, NSPS Subpart XX

Item 1-23.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-23.2:

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Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

AS PER THE STACK TEST IN 1995, THE JOHN ZINK ADSORPTION/ABSORPTION VAPOR RECOVERY UNIT IS OPERATING AT LESS THAN THE 40CFR60 SUBPART XX LIMIT OF 35 MG/L. ANY PROBLEMS WITH THE UNIT WILL BE DOCUMENTED AND FIXED IMMEDIATELY TO ENSURE THAT IT OPERATES AT NO HIGHER THAN THIS MAXIMUM LEVEL.

AS PER THE STACK TEST OF APRIL 26, 2002, THE JOHN ZINK ADSORPTION/ABSORPTION VAPOR RECOVERY UNIT IS OPERATING AT 0.25 MG OF VOC PER LITER OF LOADED GASOLINE, WHICH IS LESS THAN THE 40CFR60 SUBPART XX LIMIT OF 35 MG/L AND IS LESS THAN THE 7 MG OF VOC PER LITER OF LOADED GASOLINE IN CONDITIONS # 1-9 & 1-10 FOR 6 NYCRR 231-2 OF THIS MODIFIED PERMIT.

Upper Permit Limit: 35 milligrams per liter

Reference Test Method: 40CFR60.503 XX

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 78: Compliance Certification

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(b), NSPS Subpart XX

Item 78.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Item 78.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline

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tank trucks are not to exceed 35 milligrams of total organic compounds per liter loaded. An initial performance test is required to demonstrate compliance with the emission limit for the vapor processing system.

Parameter Monitored: VOC

Upper Permit Limit: 35.0 milligrams per liter

Reference Test Method: 25A or 25B

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2003.

Subsequent reports are due every 12 calendar month(s).

Condition 80: Truck loading compatibility
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(f), NSPS Subpart XX

Item 80.1:

This Condition applies to Emission Unit: U-00VRU

Item 80.2:

Gasoline loading limited to trucks with vapor collection equipment which is compatible with the terminal vapor collection system.

Condition 81: Vapor collection connection required
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(g), NSPS Subpart XX

Item 81.1:

This Condition applies to Emission Unit: U-00VRU

Item 81.2:

The terminal and tank truck vapor collection systems must be connected during gasoline loading.

Condition 82: Pressure limit
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(h), NSPS Subpart XX

Item 82.1:

This Condition applies to Emission Unit: U-00VRU

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Item 82.2:

The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals during loading.

Condition 83: Vent pressure limit

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(i), NSPS Subpart XX

Item 83.1:

This Condition applies to Emission Unit: U-00VRU

Item 83.2:

No pressure-vacuum vent in the terminal vapor collection system shall begin to open at a pressure less than 4,500 pascals.

Condition 84: Monthly leak inspection

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(j), NSPS Subpart XX

Item 84.1:

This Condition applies to Emission Unit: U-00VRU

Item 84.2:

The vapor collection system, vapor processing system, and loading rack must be inspected during gasoline loading for liquid and vapor leaks monthly. Inspection methods incorporating sight, sound, or smell are acceptable. Leaks detected must be recorded and repaired within 15 calendar days.

Condition 88: Untested truck notification records

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.505(d), NSPS Subpart XX

Item 88.1:

This Condition applies to Emission Unit: U-00VRU

Item 88.2:

Notifications sent to truck operators which had not supplied pressure testing results to the terminal before loading must be retained at the terminal for at least 2 years.

Condition 1-24: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 40CFR 63.420(a)(2), Subpart R



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Item 1-24.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 1-24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Bulk Gasoline Terminal:

For which the owner or operator has documented and recorded to the Administrator's satisfaction that the facility is not a major source, or is not located within a contiguous area and under common control of a facility that is a major source, as defined in §63.2 of Subpart A of this part. Monitoring of gasoline throughput on a 12 month rolling average will be used to cap out of the requirements of 40 CFR 63.420 - Gasoline Distribution Facilities.

40 CFR 63 Subpart R is not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under 526.9 million gallons of gasoline and 541 million gallons total ethanol plus gasoline annual throughput limit and an overall average of 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Conditions # 1-9 & 1-10 (condition for 6NYCRR 231-2) of this modified permit.

Parameter Monitored: GASOLINE

Upper Permit Limit: 526.9 million gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).



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Condition 2-8: Compliance Certification

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(d)(1)

Item 2-8.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Process: VRU

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-8.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The gasoline vapor collection and control systems must capture gasoline vapors during loading and unloading of gasoline transport vehicles and must condense, absorb, adsorb or combust gasoline vapors so emissions do not exceed 7 mg per liter (6-hour rolling average). The Reference Test Method will be the test method in the approved facility's continuous compliance monitoring plan or Method 25A or 25B.

According to 6 NYCRR 229.3(d)(1), the regulatory emission limit of gasoline vapors (VOC) is 0.67 pounds per 1,000 gallons of gasoline loaded or unloaded (which is equivalent to 80 mg/liter). This regulation has been superseded by a new, more stringent emission limit of 7 mg/liter. The 0.67 pounds/1000 gallons is equivalent to 80 mg/liter as shown below:

$$0.67 \text{ lbs}/1000 \text{ gal} \times 1 \text{ kg}/2.2046 \text{ lbs} \times (1,000,000 \text{ mg}/1 \text{ kg}) \times 1 \text{ gal}/3.785 = 80.29 \text{ mg}/\text{liter}$$

In order to cap out of MACT, the facility has accepted and complied with the 7 milligrams per liter (6-hour rolling average) VOC emissions limit from the VRU through stack testing.

The facility has performed an initial performance test on April 25, 2002, that was within 180 days following the



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completion of the modification to the vapor recover unit, to determine compliance with the 7 milligrams per liter emission limitation for VOC. The result of the performance test was 0.25 milligrams of VOC per liter.

The following calculations show that a VOC emission of less than 7 mg/liter results in compliance with the VOC potential to emit limit:

VOC PTE = (526,900,000 gal/year gasoline + 54,100,000 gal/year denatured ethanol) X 7 mg/liter X 3.785 liter/gal X (1 kg/1,000,000 mg) X 2.2046 lbs/kg X (1 ton/2000 lbs) = 15.8 tons/year VOC

The facility will submit an annual emission statement to the Department to show compliance with this condition and other conditions in this permit.

Reference Test Method: Method 25A or 25B
Monitoring Frequency: PER DELIVERY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 1-25: Compliance Certification
Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 230.4(e)

Item 1-25.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU
Process: VRU

Item 1-25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

During the loading or unloading of a gasoline transport vehicle subject to this Part, leakage of vapors from any component of the gasoline transport vehicle, or the vapor collection and control system, must not equal or exceed 100 percent of the lower explosive limit (LEL measured as



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propane), when measured at a distance of one inch with a combustible gas detector. No avoidable visible liquid leak from such components is allowed. Components of the transport vehicle or vapor collection or control system include all piping, seals, hoses, connections, pressure-vacuum seals, and other possible leak sources. The combustible gas detector used for determining compliance with this standard will have a minimum range of 0-100 percent of the LEL as propane, a probe with an external diameter of one quarter inch (0.623 cm), and a response time less than 30 seconds with sampling line and probe attached, and the property calibrated.

Motiva will conduct a monthly sight, sound and smell inspection for vapor tightness test certificate. During loading and unloading, Motiva will monitor each gasoline transport vehicle (tank truck) for valid vapor tightness test certificate.

Manufacturer Name/Model Number: Gasoline Transport Vehicles
Monitoring Frequency: PER DELIVERY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 1-26: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 230.4(g)

Item 1-26.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU
Process: VRU

Item 1-26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Dome covers on gasoline transport vehicles subject to this Part must be closed while the transport vehicle is being loaded, being unloaded or in motion, except when gasoline transport vehicles are hatch-loaded in conformance with subparagraph 229.3(c)(3)(ii) or (d)(2)(i)

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of that Title.

229.3(c)(3)(ii):

a vapor collection system required at a gasoline bulk plant consists of: a connecting pipe or hose equipped with vapor-tight fittings that systematically and immediately close upon disconnection to prevent the release of volatile organic compounds when loading is through means other than hatches. Hatch-loaded systems must include a loading arm with a vapor collection system adapter, a vapor-tight seal between the adapter and hatch, and a method of preventing drainage of liquid gasoline from the loading arm when it is removed from the hatch or for complete drainage of the loading arm before such removal.

229.3(d)(2)(i):

A vapor collection system required at a gasoline loading terminal consists of:

hatch-loading systems must include a loading arm with a vapor collection system adapter, a vapor-tight seal between the adapter and hatch, and a method of preventing drainage of liquid gasoline from the loading arm when it is removed from the hatch or for complete drainage of the loading arm before such removal.

Motiva will conduct a monthly sight, sound and smell inspection for vapor tightness test certificate. During loading and unloading, Motiva will monitor each gasoline transport vehicle (tank truck) for valid vapor tightness test certificate.

Manufacturer Name/Model Number: Gasoline Transport Vehicles

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).

Condition 1-27: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(e), NSPS Subpart XX



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Item 1-27.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Process: VRU

Item 1-27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:

1. The owner or operator shall obtain the vapor tightness documentation described in paragraph 60.505(b) of 40 CFR 60.500 Subpart XX for each gasoline tank truck which is to be loaded at the facility.
2. The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the facility.
3. The owner or operator shall cross-check each tank identification number recorded per item 2 above with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded.
4. The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the facility within 1 week after the documentation cross-check (Item #3).
5. The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that tank is obtained.

In addition, the terminal owner or operator shall keep documentation of all notifications required under item 4 above on file at the terminal for at least 5 years.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).

Condition 1-28: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.502(j), NSPS Subpart XX

Item 1-28.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Process: VRU

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compound liquid or vapor leaks. Detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

Monthly terminal leak inspection records must be retained at the terminal for at least 5 years. Inspection records shall include, as a minimum, the following:

1. Inspection date
2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
3. Leak determination method
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
5. Inspector name and signature.



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Monitoring Frequency: MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 1-29: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.505(b), NSPS Subpart XX

Item 1-29.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU
Process: VRU

Item 1-29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All tank truck vapor tightness documentation required under this section shall be kept on file at the terminal in a permanent form available for inspection.

Tank truck testing records must be updated annually to reflect current test results as determined by EPA Method 27. This documentation shall include, as a minimum, the following information:

1. Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27
2. tank owner name and address
3. truck identification number
4. testing location
5. test date
6. tester name and signature
7. average (of two runs) of actual pressure change observed during the 5 minute test periods



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8. witnessing inspector's (if any): name, signature and affiliation.

Reference Test Method: EPA Method 27

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).

Condition 1-30: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 40CFR 60.505(c), NSPS Subpart XX

Item 1-30.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU

Process: VRU

Item 1-30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monthly terminal leak inspection records must be retained at the terminal for at least 5 years. Inspection records shall include, as a minimum, the following:

1. Inspection date
2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
3. Leak determination method
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
5. Inspector name and signature.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.



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Subsequent reports are due every 6 calendar month(s).

Condition 1-34: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(d)

Item 1-34.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU Emission Point: 00VRU
Process: VRU

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 1-34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The gasoline vapor collection and control systems must capture gasoline vapors during loading and unloading of gasoline transport vehicles and must condense, absorb, adsorb, or combust gasoline vapors so VOC emissions do not exceed 7 milligrams per liter. Motiva Enterprises LLC has chosen a vapor recovery unit that has a carbon adsorption/absorption system.

(d) Gasoline loading terminals. No person subject to this Part may load gasoline into a gasoline transport vehicle from any gasoline loading terminal unless the gasoline loading terminal is equipped with gasoline vapor collection and vapor control systems which are operating and in good working order and that satisfy the following requirements:

(1) The gasoline vapor collection and control systems must capture gasoline vapors during loading and unloading of gasoline transport vehicles, and must condense, absorb, adsorb or combust the gasoline vapors so emissions do not exceed 7 milligrams per liter of gasoline loaded or unloaded. Any equivalent control system is acceptable. Test methods to determine the level of gasoline vapors which are acceptable to the commissioner must be used to determine compliance with this standard. Test methods



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described in Appendix A of 40 CFR part 60 are considered to be acceptable methods (see table 1, section 200.9 of this Title).

(2) A vapor collection system required at a gasoline loading terminal consists of:

(i) hatch-loading systems must include a loading arm with a vapor collection system adapter, a vapor-tight seal between the adapter and hatch, and a method of preventing drainage of liquid gasoline from the loading arm when it is removed from the hatch or for complete drainage of the loading arm before such removal;

(ii) bottom-loading systems must include a connecting pipe or hose equipped with vapor-tight fittings that will automatically and immediately close upon disconnection to prevent the release of gasoline vapors;

(iii) a connecting device between the gasoline transport vehicle and the dispensing equipment that interrupts the flow of gasoline to prevent overfilling and spillage; and

(iv) a system that prevents the flow of gasoline into gasoline transport vehicles unless the fuel product line and vapor collection system are both connected so as to prevent liquid product leaks or vapor loss.

The VRU must be maintained "in good working order" which is defined as "capturing the gasoline vapors during loading of gasoline transport vehicles, and must condense, absorb, adsorb or combust the gasoline vapors so the emissions do not exceed 7 mg/liter of gasoline loaded." In addition, the VRU must be inspected monthly for proper maintenance to ensure compliance with this rule and condition.

Process Material: GASOLINE

Parameter Monitored: VOC

Upper Permit Limit: 7 milligrams per liter

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.



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Subsequent reports are due every 6 calendar month(s).

Condition 96: Compliance Certification

Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.4

Item 96.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00VRU Emission Point: 00VRU
Process: VRU

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 96.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Testing and monitoring:

(a) The owner and/or operator of a vapor collection and control system must follow notification requirements, protocol requirements and test procedures of Part 202 of this Title for testing and monitoring to determine compliance with the emission limits and control requirements required of this Part. Depending upon conditions at a test site, one of the following test methods from Appendix A of 40 CFR part 60 must be used to determine volatile organic compound (VOC) concentrations of a gas stream at the inlet and outlet of a control device:

(1) Method 18, Measurement of Gaseous Organic Compound Emissions by Gas Chromatography.

(2) Method 25, Determination of Total Gaseous Organic Emissions as Carbon.

(3) Method 25 A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.

(4) Method 25B - Determination of Total Gaseous Organic Concentration Using a Non-Dispersive Infrared Analyzer.

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(5) Methods not listed above must be approved in advance by the department's representative and the

United States Environmental Protection Agency.

(b) Any facility which is not subject to the control requirements of this Part because its annual potential to emit volatile organic compounds are below the applicability levels, must maintain records in a format acceptable to the commissioner's representative that verify the facility's annual potential to emit VOC. Upon request these records must be submitted to the department.

These records must be submitted annually to the department.

Monitoring Frequency: ANNUALLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 1-35: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.5(d)

Item 1-35.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-ADTNK

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a volatile organic liquid storage tank that is subject to 6NYCRR Part 229 must maintain a record of the capacity (in gallons) of the volatile organic liquid storage tank at the facility.

Monitoring Frequency: ANNUALLY



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 1-36: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(e)(2)(v)

Item 1-36.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-ADTNK
Process: ADT

Item 1-36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The additive storage tanks have capacities of less than 10,000 gallons. Four of these tanks (# 7, # 8, # 9 and # 10) are vertical tanks with cone fixed roof. The other five tanks (# 51, # 52, # 54, # 55 and # 56) are horizontal tanks. A fixed roof storage tank is a petroleum or volatile organic liquid storage vessel consisting of a vertical steel cylindrical shell with a permanent affixed roof. Storage tanks subject to this requirement (volatile organic liquid), with a capacity of less than 10,000 gallons, must be equipped with a conservation vent. The conservation vent is the control requirements for petroleum or volatile organic liquid (VOL) fixed roof tanks. The conservation vent collects the vapors and prevents their release to the atmosphere. The conservation vent should not allow any vapor to escape to the atmosphere. It should be equipped with vapor-tight fittings to prevent the release of vapors. It must be maintained and operated in such a way as to ensure the integrity and efficiency of the conservation vent. The permittee shall visually inspect the conservation vent on a quarterly basis to insure proper operation. Inspection records must be maintained on site for a period of five (5) years. Records shall contain the date(s) of all inspections, inspection findings and a listing of all equipment repairs or replacements.



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Reference Test Method: Visual
Monitoring Frequency: QUARTERLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 2-9: Compliance Certification
Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(a)

Item 2-9.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-9.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Petroleum liquid is any crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery whose true vapor pressure is between 1.5 and 12 psia at 70 degrees Fahrenheit. Petroleum liquids do not include Nos. 2 through 6 fuel oils or those volatile organic compounds which are given an environmental rating of A pursuant to Part 212 of this Title.

For petroleum fixed roof tanks, no person may store petroleum liquid in a fixed roof tank subject to this Part unless:

1. the tank has been retrofitted with an internal floating roof or equivalent control; and
2. the vapor collection and vapor control systems are maintained and operated in such a way as to ensure the integrity and efficiency of the system.

The permittee must visually inspect the vapor collection and control systems per [40 CFR 60.113b(a)(1-4)] every



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calendar quarter to ensure compliance with the above.

The permittee must visually inspect the floating roof and secondary seals from the tank roof hatch on an annual basis. The permittee must perform a complete inspection of the floating roof and primary and secondary seals with the storage tank empty, every ten (10) years per [40 CFR 60.113b(a)(1-4)].

Records of all inspections must be maintained on site for a period of five years. Inspection records shall contain the date(s) of all inspections, inspection findings and a listing of all equipment repairs or replacements.

Reference Test Method: Visual

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2005.

Subsequent reports are due every 6 calendar month(s).

Condition 1-38: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.5(a)

Item 1-38.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Recordkeeping of capacities of petroleum liquid storage tanks - Records must be maintained at the facility for five years.

Monitoring Frequency: MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 12 calendar month(s).

Condition 102: VOL fixed roof storage tank requirements
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(e)(1)

Item 102.1:

This Condition applies to Emission Unit: U-GTANK
Process: GDT

Item 102.2:

For a fixed roof storage tank storing volatile organic liquids, the tank must be equipped with an internal floating roof with a liquid-mounted primary seal and gasket fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-free for other purposes.

Condition 1-39: Compliance Certification
Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(a)(1)

Item 1-39.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 0000V
Process: GDT Emission Source: 0000V

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 1-39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person may store petroleum liquid in a fixed roof tank unless the tank has been retrofitted with an internal floating roof or equivalent control.

Storage tanks # 41, # 42, # 45 and # 46 are fixed roof tanks with internal floating roofs. Storage tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may



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also be used for denatured ethanol storage.

Storage tank # 41 has an internal floating roof. Tank # 41 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 12 calendar month(s).

Condition 2-10: Compliance Certification

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(e)(1)

Item 2-10.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 0000V

Process: GDT Emission Source: 0000V

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-10.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For a fixed roof storage tank storing volatile organic liquids (such as denatured ethanol), the tank must be equipped with an internal floating roof with a liquid-mounted primary seal and gasketed fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-free for other purposes.

Storage Tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may also be used for denatured ethanol storage.



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TANK # 41 (Emission point 0000V & Emission Source 0000V) will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

For TANK # 41, whenever activities pertaining to the replacement of any liquid-mounted primary seal and gasketed fittings or equivalent control are performed, a record detailing those activities pertaining to 6 NYCRR 229.3(e)(1) will be generated and kept for five years.

The permittee must visually inspect the floating roof and secondary seals from the tank roof hatch on an annual basis. The permittee must perform a complete inspection of the floating roof and primary and secondary seals with the storage tank empty, every ten (10) years per [40 CFR 60.113b(a)(1-4)].

Records of all inspections must be maintained on site for a period of five years. Inspection records shall contain the date(s) of all inspections, inspection findings and a listing of all equipment repairs or replacements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 1-41: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(a)(1)

Item 1-41.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 000II

Process: GDT Emission Source: 000II

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-41.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person may store petroleum liquid in a fixed roof tank unless the tank has been retrofitted with an internal floating roof or equivalent control.

Storage tanks # 41, # 42, # 45 and # 46 are fixed roof tanks with internal floating roofs. Storage tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may also be used for denatured ethanol storage.

Storage tank # 42 has an internal floating roof. Tank # 42 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 12 calendar month(s).

Condition 2-11: Compliance Certification

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(e)(1)

Item 2-11.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 000II

Process: GDT Emission Source: 000II

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-11.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For a fixed roof storage tank storing volatile organic liquids (such as denatured ethanol), the tank must be



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equipped with an internal floating roof with a liquid-mounted primary seal and gasketed fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-free for other purposes.

Storage Tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may also be used for denatured ethanol storage.

TANK # 42 (Emission point 000II & Emission Source 000II) will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

For TANK # 42, whenever activities pertaining to the replacement of any liquid-mounted primary seal and gasketed fittings or equivalent control are performed, a record detailing those activities pertaining to 6 NYCRR 229.3(e)(1) will be generated and kept for five years.

The permittee must visually inspect the floating roof and secondary seals from the tank roof hatch on an annual basis. The permittee must perform a complete inspection of the floating roof and primary and secondary seals with the storage tank empty, every ten (10) years per [40 CFR 60.113b(a)(1-4)].

Records of all inspections must be maintained on site for a period of five years. Inspection records shall contain the date(s) of all inspections, inspection findings and a listing of all equipment repairs or replacements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 1-43: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(a)(1)



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Item 1-43.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 00III
Process: GDT Emission Source: 00III

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 1-43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person may store petroleum liquid in a fixed roof tank unless the tank has been retrofitted with an internal floating roof or equivalent control.

Storage tanks # 41, # 42, # 45 and # 46 are fixed roof tanks with internal floating roofs. Storage tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may also be used for denatured ethanol storage.

Storage tank # 45 has an internal floating roof. Tank # 45 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 12 calendar month(s).

Condition 2-12: Compliance Certification

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(e)(1)

Item 2-12.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 00III



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Process: GDT

Emission Source: 00III

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-12.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For a fixed roof storage tank storing volatile organic liquids (such as denatured ethanol), the tank must be equipped with an internal floating roof with a liquid-mounted primary seal and gasketed fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-free for other purposes.

Storage Tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may also be used for denatured ethanol storage.

TANK # 45 (Emission point 00III & Emission Source 00III) will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

For TANK # 45, whenever activities pertaining to the replacement of any liquid-mounted primary seal and gasketed fittings or equivalent control are performed, a record detailing those activities pertaining to 6 NYCRR 229.3(e)(1) will be generated and kept for five years.

The permittee must visually inspect the floating roof and secondary seals from the tank roof hatch on an annual basis. The permittee must perform a complete inspection of the floating roof and primary and secondary seals with the storage tank empty, every ten (10) years per [40 CFR 60.113b(a)(1-4)].

Records of all inspections must be maintained on site for a period of five years. Inspection records shall contain the date(s) of all inspections, inspection findings and a listing of all equipment repairs or replacements.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 1-45: Compliance Certification

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(a)(1)

Item 1-45.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 00VII

Process: GDT Emission Source: 00VII

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person may store petroleum liquid in a fixed roof tank unless the tank has been retrofitted with an internal floating roof or equivalent control.

Storage tanks # 41, # 42, # 45 and # 46 are fixed roof tanks with internal floating roofs. Storage tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may also be used for denatured ethanol storage.

Storage tank # 46 has an internal floating roof. Tank # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 4/30/2004.
Subsequent reports are due every 12 calendar month(s).

Condition 2-13: Compliance Certification

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable Federal Requirement: 6NYCRR 229.3(e)(1)

Item 2-13.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-GTANK Emission Point: 00VII
Process: GDT Emission Source: 00VII

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-13.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For a fixed roof storage tank storing volatile organic liquids (such as denatured ethanol), the tank must be equipped with an internal floating roof with a liquid-mounted primary seal and gasketed fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-free for other purposes.

Storage Tanks # 41, # 42, # 45 and # 46 will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage. Tanks # 41, # 42, # 45 and # 46 may also be used for denatured ethanol storage.

TANK # 46 (Emission point 00VII & Emission Source 00VII) will have the flexibility of being used for either denatured ethanol storage or gasoline/petroleum distillates storage.

For TANK # 46, whenever activities pertaining to the replacement of any liquid-mounted primary seal and gasketed fittings or equivalent control are performed, a record detailing those activities pertaining to 6 NYCRR 229.3(e)(1) will be generated and kept for five years.

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The permittee must visually inspect the floating roof and secondary seals from the tank roof hatch on an annual basis. The permittee must perform a complete inspection of the floating roof and primary and secondary seals with the storage tank empty, every ten (10) years per [40 CFR 60.113b(a)(1-4)].

Records of all inspections must be maintained on site for a period of five years. Inspection records shall contain the date(s) of all inspections, inspection findings and a listing of all equipment repairs or replacements.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).



STATE ONLY ENFORCEABLE CONDITIONS

****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 1-47: Contaminant List

Effective between the dates of 11/07/2003 and 04/25/2007

Applicable State Requirement: ECL 19-0301

Item 1-47.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this



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permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000071-43-2

Name: BENZENE

CAS No: 0NY100-00-0

Name: HAP

CAS No: 000110-54-3

Name: HEXANE

CAS No: 001634-04-4

Name: METHYL TERTBUTYL ETHER

CAS No: 000108-88-3

Name: TOLUENE

CAS No: 0NY998-00-0

Name: VOC

CAS No: 001330-20-7

Name: XYLENE, M, O & P MIXT.

Condition 103: Unavoidable noncompliance and violations
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-1.4

Item 103.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR



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Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 2-14: Facility Permissible Emissions

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-14.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000071-43-2 (From Mod 2) PTE: 19,900 pounds per year
Name: BENZENE

CAS No: 000108-88-3 (From Mod 2) PTE: 19,900 pounds per year
Name: TOLUENE

CAS No: 000110-54-3 (From Mod 2) PTE: 19,900 pounds per year
Name: HEXANE

CAS No: 001330-20-7 (From Mod 2) PTE: 19,900 pounds per year
Name: XYLENE, M, O & P MIXT.



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CAS No: 001634-04-4 (From Mod 2) PTE: 19,900 pounds per year
Name: METHYL TERTBUTYL ETHER

CAS No: 0NY100-00-0 (From Mod 2) PTE: 49,000 pounds per year
Name: HAP

CAS No: 0NY998-00-0 (From Mod 2) PTE: 112,860 pounds per year
Name: VOC

Condition 2-15: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-15.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2

Item 2-15.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-15.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-15.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-15.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-15.6:

The Compliance Demonstration activity will be performed for the Facility.



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Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-15.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall monitor the total throughput of gasoline from this facility. Motiva will use existing petroleum industry practices such as tank gauging and loading rack meters to monitor shipments of gasoline in and out of the facility in order to demonstrate compliance with the throughput limitation. Motiva shall comply with the monthly monitoring frequency for monitoring throughput and submit reports to the Department quarterly.

Motiva is taking a cap of 526.9 million gallons (annual maximum rolled monthly) on the vapor recovery unit (VRU) gasoline throughput, that is, the facility cannot exceed the 526.9 million gallons cap for any consecutive twelve (12) month period.

The Motiva terminal is also capping out of 40 CFR 63 Subpart R (Gasoline Distribution Facilities - MACT) by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R, Gasoline Distribution Facility NESHAP. Motiva will monitor the 7 mg/L limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Conditions 19 & 20 (conditions for 6NYCRR 231-2, New Source Review in Non-attainment Areas and Ozone Transport Region) in the State Facility Permit, DEC ID # 2-6101-00105/00021. Therefore, the provisions of 40 CFR 63 Subpart R are not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R.

The facility is limiting the annual gasoline throughput to 526.9 million gallons and total ethanol plus gasoline



throughput to 541,000,000 gallons per year, both at 7 mg/L limit (6 hour rolling average) of VOC emissions on the VRU. The provisions of 40 CFR 63 Subpart R (Gasoline Distribution Facilities - MACT) are not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Condition 20 (condition for 6NYCRR 231-2) of the Mod 0 permit, Conditions # 2-22 & 2-25 in this Mod 2 permit (condition for 6 NYCRR 201-7, capping out of 6 NYCRR 231-2). The facility shall maintain records (as required by permit conditions) showing that they are below the applicability threshold for 40 CFR 63 Subpart R. "

The facility performed an initial performance test on April 25, 2002, that was within 180 days following the completion of the modification to the vapor recovery unit, to determine compliance with the 7 milligrams emission limitation for VOC per liter of gasoline loaded. The result of the performance test was 0.25 milligrams of VOC per liter of gasoline loaded.

Based on the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

NEW SOURCE REVIEW APPLICABILITY: As a result of the proposed VRU modifications and the replacement of MTBE with ethanol, the potential VOC emissions (at the Loading Rack, Emission Unit U-00VRU) will be 15.8 tpy and the potential facility emissions will be 56.43 tpy (112,860 lbs/yr). This project will result in a decrease in potential emissions of VOC from this facility. Current potential emissions of VOC are limited to 56.92 tpy. This includes 15.8 tpy of potential VOC emissions from the VRU emission point. The remaining facility VOC emissions sources include process and loading rack fugitives as well as storage tank emissions. Under the currently proposed project, facility-wide potential emissions will be reduced

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to 56.43 tpy of VOC. Potential emissions will remain limited at 15.8 tpy of VOC from the VRU emission point. Since the replacement of MTBE with ethanol will not result in any increase in potential VOC emissions (and in fact, there will be a decrease of 0.49 tpy, which is the difference between 56.43 and 56.92 tpy) from this project, Non-attainment New Source Review is not applicable to this project.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 526,900,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 2-16: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-16.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.420(d)

Item 2-16.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-16.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-16.4:



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On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-16.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-16.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 2-16.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Motiva is not required to show calculations or results for the emission screening factor (Er) for gasoline terminals, to be less than 0.5, in order to cap out of the Gasoline Distribution Facilities - MACT, 40 CFR 63 Subpart R, because the facility is limiting any annual individual HAP (Benzene, Hexane, Methyl Tertbutyl Ether, Toluene and Xylene) emission to under 10 tons per year and the total HAPs to under 25 tons per year. This is achieved by limiting the gasoline annual throughput to 526,900,000 gallons and the VOC emissions from the VRU to 7 mg/liter (6 hour rolling average) and hence avoiding compliance with the Gasoline Distribution Facilities - MACT. Motiva is not required to show calculations or results for Er, emission screening factor for gasoline terminals, to be less than 0.5.

The facility will maintain records and provide reports in accordance with the provisions of the facility's continuous compliance monitoring plan via CEMS (continuous emission monitoring system) for capping out of 6 NYCRR 231-2 as described in the continuous emission plan as required by Condition 47 of the existing permit.

The following calculations show that a VOC emission of less than 7 mg/liter results in compliance with the VOC

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potential to emit limit:

$$\begin{aligned} \text{VOC PTE} &= (526,900,000 \text{ gal/year gasoline} + 54,100,000 \\ &\text{gal/year denatured ethanol}) \times 7 \text{ mg/liter} \times 3.785 \\ &\text{liter/gal} \times (1 \text{ kg}/1,000,000 \text{ mg}) \times \\ &2.2046 \text{ lbs/kg} \times (1 \text{ ton}/2000 \text{ lbs}) = 15.8 \text{ tons/year} \\ &\text{VOC} \end{aligned}$$

The facility will submit an annual emission statement to the Department to show compliance with this condition and other conditions in this permit.

The potential VRU emissions (at the loading rack, Emission Unit U-00VRU) is 15.8 tpy and the potential facility emissions is 56.83 tpy (113,660 lbs/yr), based on 7 mg/liter VRU concentration. The facility has performed an initial performance test on April 25, 2002, that was within 180 days following the completion of the modification to the vapor recovery unit, to determine compliance with the 7 milligrams per liter emission limitation for VOC. The result of the performance test was 0.25 milligrams of VOC per liter, that is 28 times less than the permitted 7 mg/L.

Since the VOC PTE at the VRU is 15.8 tons/yr, therefore the Total HAPs cannot exceed the VOC PTE of 15.8 TPY, which is < 25 TPY, and hence each of the individual HAPs is < 10. By limiting the gasoline annual throughput, the facility is also limiting any annual individual HAP emission to under 10 tons per year and the total HAPs emission to under 25 tons per year. Hence, this facility is limiting the Toluene, Methyl Tertbutyl Ether, Xylene, M, O & P MIXT, Benzene, and Hexane emissions to under 10 tons per year.

Based on this and the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Manufacturer Name/Model Number: CEMS on the VRU



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Monitoring Frequency: CONTINUOUS
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 2-17: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-17.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2

Item 2-17.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-17.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-17.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-17.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-17.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-17.7:

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Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility shall perform an initial test, within 6 months of their modification to determine compliance with a 7 milligrams per liter limitation for VOCs. Prior to conducting the initial performance test the owner or operator shall submit, at least 60 days in advance of the test, to the Department all test protocols for approval. Based upon the initial test results, 60 days after the test results are submitted and approved, by the Department, the applicant shall submit a continuous compliance monitoring plan (to be approved by the Department) showing continuous compliance with the VOC limitation. Upon Department approval, this monitoring plan shall become an enforceable attachment to the permit.

The 7 milligram per liter VOC emissions limitation shall replace all other existing VOC emission limitation conditions for the VRU in this permit. Also, the facility shall submit protocols (for Department approval) and conduct a compliance test, once per term of the permit (once every five years) to verify compliance with the 7 milligrams per liter VOC limitation.

During the period between the initial modification of the VRU (at the loading rack, Emission Unit U-00VRU) and the Department acceptance of the applicants continuous compliance monitoring plan, the applicant shall make all reasonable efforts to assure that the VRU operates in compliance with the 7 milligrams per liter VOC emissions. The facility shall maintain records to document the methods used to insure compliance with 40 CFR 63-R.420(a)(2) - Bulk storage and with the capping throughput requirement as stated in the continuous compliance monitoring plan referenced above. The facility will provide reports in accordance with the provisions of the facility's continuous compliance monitoring plan via CEMS (continuous emission monitoring system) for 6 NYCRR 201-7 - capping out of 6 NYCRR 231-2 as described in the continuous emission plan as required by this condition.

The facility is limiting the annual gasoline throughput to 526.9 million gallons and total ethanol plus gasoline

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throughput to 541,000,000 gallons per year, both at a 7 mg/L limit (6 hour rolling average) of VOC emissions from the VRU. The provisions of 40 CFR 63 Subpart R (Gasoline Distribution Facilities - MACT) are not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Conditions 2-22 & 2-25 (conditions for 6 NYCRR 201-7, capping out of 6 NYCRR 231-2) of this Mod 2 permit. The facility shall maintain records (as required by permit conditions) showing that they are below the applicability threshold for 40 CFR 63 Subpart R. "

The facility has performed an initial performance test on April 25, 2002 that was within 180 days following the completion of the modification to the vapor recovery unit to determine compliance with the 7 milligrams emission limitation for VOC per liter of gasoline loaded. The result of the performance test was 0.25 milligrams of VOC per liter of gasoline loaded.

Based on the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

NEW SOURCE REVIEW APPLICABILITY: As a result of the proposed VRU modifications and the replacement of MTBE with ethanol, the potential VOC emissions (at the Loading Rack, Emission Unit U-00VRU) will be 15.8 tpy and the potential facility emissions will be 56.43 tpy (112,860 lbs/yr). This project will result in a decrease in potential emissions of VOC from this facility. Current potential emissions of VOC are limited to 56.92 tpy. This includes 15.8 tpy of potential VOC emissions from the VRU emission point. The remaining facility VOC emissions sources include process and loading rack fugitives as well as storage tank emissions. Under the currently proposed project, facility-wide potential emissions will be reduced to 56.43 tpy of VOC. Potential emissions will remain



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limited at 15.8 tpy of VOC from the VRU emission point. Since the replacement of MTBE with ethanol will not result in any increase in potential VOC emissions (and in fact, there will be a decrease of 0.49 tpy, which is the difference between 56.43 and 56.92 tpy) from this project, Non-attainment New Source Review is not applicable to this project.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Manufacturer Name/Model Number: CEMS On The Vapor Recovery Unit
Parameter Monitored: VOC

Upper Permit Limit: 7 milligrams per liter

Reference Test Method: METHOD 25B

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 6-HOUR ROLLING AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2005.

Subsequent reports are due every 6 calendar month(s).

Condition 2-18: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-18.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.420(a)

Item 2-18.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-18.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.



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Item 2-18.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-18.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-18.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 2-18.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limiting the gasoline annual throughput to 526,900,000 gallons and hence avoiding compliance with 40CFR 63R. By limiting the gasoline annual throughput, the facility is also limiting the annual total HAP's emission to under 25 tons per year.

Based on this and the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 526,900,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 2-19: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-19.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.420(a)

Item 2-19.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-19.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-19.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-19.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-19.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 001634-04-4 METHYL TERTBUTYL ETHER

Item 2-19.7:

Compliance Demonstration shall include the following monitoring:



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Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limiting the gasoline annual throughput to 526,900,000 gallons and hence avoiding compliance with 40CFR 63R. By limiting the gasoline annual throughput, the facility is also limiting any annual individual HAP emission to under 10 tons per year. Note that with the replacement of MTBE with ethanol, MTBE emissions will be significantly reduced.

Based on this and the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 526,900,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 2-20: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-20.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.420(a)

Item 2-20.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms,



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conditions and standards in this permit.

Item 2-20.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-20.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-20.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-20.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000110-54-3 HEXANE

Item 2-20.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limiting the gasoline annual throughput to 526,900,000 gallons and hence avoiding compliance with 40CFR 63R. By limiting the gasoline annual throughput, the facility is also limiting any annual individual HAP emission to under 10 tons per year.

Based on this and the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

The data supporting the numbers in this condition can be



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found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: GASOLINE
Upper Permit Limit: 526,900,000 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 2-21: Capping Monitoring Condition
Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-21.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.420(a)

Item 2-21.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-21.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-21.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-21.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.



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Item 2-21.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000108-88-3 TOLUENE

Item 2-21.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limiting the gasoline annual throughput to 526,900,000 gallons and hence avoiding compliance with 40CFR 63R. By limiting the gasoline annual throughput, the facility is also limiting any annual individual HAP emission to under 10 tons per year.\

Based on the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 526,900,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 2-22: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-22.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of



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limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.427

Item 2-22.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-22.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-22.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-22.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-22.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-22.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

40 CFR 63 Subpart R is not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L VOC emission limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L limit through the use of a continuous

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emission monitoring system (CEMS) as described in the continuous emissions plan as required by Conditions # 47 & 48 (conditions for 6NYCRR 231-2 of Mod 0 permit), Conditions # 1-9 & 1-10 of Mod 1 permit, and Conditions # 2-22 & 2-25 in this Mod 2 permit.

The condition for 40 CFR 63.427, Subpart R (Condition # 2-18) is applicable to this facility only if this facility does not comply with the requirements in 40 CFR 63.420(a) or (c) or (d), Subpart R. Otherwise, the facility has to comply with the following condition:

Continuous monitoring:

(a) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) as specified in paragraph (a)(1), (a)(2), (a)(3), or (a)(4) of this section, except as allowed in paragraph (a)(5) of this section. Motiva has chosen a vapor recovery unit that has a carbon adsorption/absorption system.

(1) Where a carbon adsorption system is used, a continuous emission monitoring system (CEMS) capable of measuring organic compound concentration shall be installed in the exhaust air stream.

(b) Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall operate the vapor processing system in a manner not to exceed the operating parameter value for the parameter described in paragraphs (a)(1) and (a)(2) of this section, or to go below the operating parameter value for the parameter described in paragraph (a)(3) of this section, and established using the procedures in §63.425(b). In cases where an alternative parameter pursuant to paragraph (a)(5) of this section is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value. Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as specified above, shall constitute a violation of the emission standard in §63.422(b).

(c) Each owner or operator of gasoline storage vessels



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subject to the provisions of §63.423 shall comply with the monitoring requirements in §60.116b of this chapter, except records shall be kept for at least 5 years. If a closed vent system and control device are used, as specified in §60.112b(a)(3) of this chapter, to comply with the requirements in §63.423, the owner or operator shall also comply with the requirements in paragraph (a) of this section.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Process Material: GASOLINE
Manufacturer Name/Model Number: CEMS on the VRU
Parameter Monitored: VOC
Upper Permit Limit: 7 milligrams per liter
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 2-23: Capping Monitoring Condition
Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-23.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.428

Item 2-23.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-23.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

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Item 2-23.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-23.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-23.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 2-23.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR 63 Subpart R is not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L VOC emission limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Conditions # 47 & # 48 (condition for 6NYCRR 231-2) of the Mod 0 permit, Conditions # 1-9 & 1-10 of the Mod 1 permit, and Conditions 2-22 & 2-25 of this Mod 2 permit (conditions for 6 NYCRR 201-7, capping out of 6 NYCRR 231-2).

The condition for capping out of 40 CFR 63.428, Subpart R (Condition # 2-24 for 6 NYCRR 201-7) is applicable to this facility only if this facility does not comply with the requirements in 6 NYCRR 201-7.2, capping out of 40 CFR 63.420(a)(2), Subpart R (Conditions # 2-16, 2-17, 2-19, 2-20, 2-21 & 2-23). Otherwise, the facility has to comply with the requirements in 40 CFR 63 Subpart R and the following condition:

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The owner or operator shall:

- 1) Operate the facility such that none of the facility parameters used to calculate results under paragraph (a)(1) of this section is exceeded in any rolling 30 day period. And at any time, there is a change or modifications to the facility parameters that will result in any expected HAP emission change, the facility will notify the Department and
- 2) Maintain records and provide reports in accordance with the provisions of subdivision 40 CFR 63.428(i) or 40 CFR 63.428(j), as applicable, or as in Conditions # 60 & # 64 of the Mod 0 permit (Conditions # 2-15 & 2-24 in Mod 2 permit).
- 3) Maintain records and provide reports in accordance with the provisions of 40 CFR 63.428 (a) through (h) as in Conditions # 60 & # 64 of the Mod 0 permit (Conditions # 2-15 & 2-24 in this Mod 2 permit).

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Manufacturer Name/Model Number: CEMS on the VRU
Monitoring Frequency: CONTINUOUS
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 2-24: Capping Monitoring Condition
Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-24.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.420(a)

Item 2-24.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

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Item 2-24.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-24.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-24.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-24.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 001330-20-7 XYLENE, M, O & P MIXT.

Item 2-24.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limiting the gasoline annual throughput to 526,900,000 gallons and hence avoiding compliance with 40CFR 63R. By limiting the gasoline annual throughput, the facility is also limiting any annual individual HAP emission to under 10 tons per year.

Based on this and the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of

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Potential Emissions" following page 101 of this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 526,900,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 2-25: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-25.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R.420(a)

Item 2-25.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-25.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-25.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-25.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-25.6:



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The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000071-43-2 BENZENE

Item 2-25.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility is limiting the gasoline annual throughput to 526,900,000 gallons and hence avoiding compliance with 40CFR 63R. By limiting the gasoline annual throughput, the facility is also limiting any annual individual HAP emission to under 10 tons per year.

Based on this and the annual emission statement submitted to the Department, the Total HAPs are well below the 25 TPY threshold (approximately 2.1 TPY), and the individual HAPs are all well below 10 TPY (all < 1 TPY). Therefore, the facility demonstrates compliance with the 10/25 TPY HAPs threshold.

The data supporting the numbers in this condition can be found in the table attachment titled "Motiva's Summary of Potential Emissions" following page 101 of this permit.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 526,900,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

Subsequent reports are due every 12 calendar month(s).

Condition 2-26: Facility Permissible Emissions

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7.2

Item 2-26.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following



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Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY998-00-0 (From Mod 2) PTE: 112,860 pounds per year
Name: VOC

Condition 106: Air pollution prohibited
Effective between the dates of 04/26/2002 and 04/25/2007

Applicable State Requirement: 6NYCRR 211.2

Item 106.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 1-49: Compliance Demonstration
Effective between the dates of 11/07/2003 and 04/25/2007

Applicable State Requirement: 6NYCRR 225-3.4(a)

Item 1-49.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-49.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any refinery, terminal, or bulk plant from which gasoline, subject to this Subpart, is distributed must maintain records on the gasoline that is delivered to or distributed from such facilities. These records shall include:

- (1) The RVP of the gasoline if subject to section 225-3.3 of this Subpart.
- (2) A designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
- (3) Written certification that the gasoline:
 - (i) conforms with all RVP and oxygen content requirements of this Subpart; and
 - (ii) is in compliance with all applicable State and Federal regulations which apply during the time period(s)



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specified pursuant to paragraph (3) of this subdivision.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2004.

Subsequent reports are due every 6 calendar month(s).

Condition 2-27: Compliance Demonstration

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 225-3.6

Item 2-27.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each provision of 6 NYCRR 225-3 shall be deemed severable, and in the event that any section of 6 NYCRR 225-3 is held to be invalid, the remainder of 6 NYCRR 225-3 shall continue in full force and effect.

Any person who sells or supplies gasoline, subject to subdivisions (a) of 6 NYCRR 225-3.4, to retailers or wholesale purchaser-consumer must comply with the requirements of section 225-3.6 of this Subpart which pertain to gasoline RVP.

Those records should identify who performed the test, when the fuel was delivered, when the test was performed, and the results of the test.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2005.

Subsequent reports are due every 6 calendar month(s).

****** Emission Unit Level ******

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Condition 2-28: Process Permissible Emissions

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7

Item 2-28.1:

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-00VRU Process: VRU

CAS No: 0NY998-00-0 (From Mod 2)

Name: VOC

PTE(s): 15.7 pounds per hour
31,604.2 pounds per year

CAS No: 0NY100-00-0 (From Mod 2)

Name: HAP

PTE(s): 6.2 pounds per hour
950.7 pounds per year

Condition 2-29: Process Permissible Emissions

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7.2

Item 2-29.1:

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-00VRU Process: VRU

CAS No: 0NY998-00-0 (From Mod 2)

Name: VOC

PTE(s): 15.7 pounds per hour
31,604.2 pounds per year

Condition 2-30: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7.2

Item 2-30.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of



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limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 229.3(d)

Item 2-30.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-30.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-30.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-30.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-30.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00VRU Emission Point: 00VRU
Process: VRU

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-30.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The facility shall perform an initial test, within 6 months of their modification to determine compliance with a 7 milligrams per liter limitation for VOCs. Prior to conducting the initial performance test the owner or

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operator shall submit, at least 60 days in advance of the test, to the Department all test protocols for approval. Based upon the initial test results, (60 days after the test results are submitted and approved, by the Department) the applicant shall submit a continuous compliance monitoring plan (to be approved by the Department) showing continuous compliance with the VOC limitation. Upon Department approval this monitoring plan shall become an enforceable attachment to the permit. The 7 milligram per liter VOC emissions limitation shall replace all other existing VOC emission limitation conditions for the VRU, in this permit. Also, the facility shall submit protocols (for Department approval) and conduct a compliance test once per the term of the permit (once every five years) to verify compliance (through Department approval of the test) with the 7 milligrams per liter VOC limitation.

During the period between the initial modification of the VRU and the Department acceptance of the applicants continuous compliance monitoring plan, the applicant shall make all reasonable efforts to assure that the VRU operates in compliance with the 7 milligrams per liter VOC emissions. The facility shall maintain records to document the methods used to insure compliance.

The VRU must be maintained "in good working order" which is defined as "capturing the gasoline vapors during loading of gasoline transport vehicles, and must condense, absorb, adsorb or combust the gasoline vapors so the VOC emissions from the VRU do not exceed 7 mg/liter of gasoline loaded." In addition, the VRU must be inspected monthly for proper maintenance to ensure compliance with this rule and condition.

The facility is limiting the annual gasoline throughput to 526.9 million gallons and total ethanol plus gasoline throughput to 541,000,000 gallons per year, both at 7 mg/L limit (6 hour rolling average) of VOC emissions on the VRU. The provisions of 40 CFR 63 Subpart R (Gasoline Distribution Facilities - MACT) are not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L limit through the use of a continuous

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emission monitoring system (CEMS) as described in the continuous emissions plan as required by Condition 20 (condition for 6NYCRR 231-2) of the Mod 0 permit, Condition 1-11 of the Mod 1 permit, and Condition # 2-22 of this Mod 2 permit (conditions for 6 NYCRR 201-7, capping out of 6 NYCRR 231-2). The facility shall maintain records (as required by permit conditions) showing that they are below the applicability threshold for 40 CFR 63 Subpart R. "

The facility has performed an initial performance test on April 25, 2002 that was within 180 days following the completion of the modification to the vapor recovery unit to determine compliance with the 7 milligrams per liter emission limitation for VOCs. The result of the performance test was 0.25 milligrams of VOC per liter.

NEW SOURCE REVIEW APPLICABILITY: As a result of the proposed VRU modifications and the replacement of MTBE with ethanol, the potential VOC emissions (at the Loading Rack, Emission Unit U-00VRU) will be 15.8 tpy and the potential facility's VOC emissions will be 56.43 tpy (112,860 lbs/yr). This project will still result in a decrease in potential emissions of VOC from this facility.

Current potential emissions of VOC are limited to 56.92 tpy. This includes 15.8 tpy of potential VOC emissions from the VRU emission point. The remaining facility VOC emissions sources include process and loading rack fugitives as well as storage tank emissions. Under the currently proposed project, facility-wide potential emissions will be reduced to 56.43 tpy of VOC. Potential emissions will remain limited at 15.8 tpy of VOC from the VRU emission point. Since the replacement of MTBE with ethanol will not result in any increase in potential VOC emissions (and in fact there will be a decrease 0.49 tpy, which is the difference between 56.43 and 56.92 tpy) from this project, Non-attainment New Source Review is not applicable to this project.

The Reference Test Method will be the test method in the approved facility's continuous compliance monitoring plan or Method 25A or 25B.

Manufacturer Name/Model Number: CEMS on the Vapor Recovery Unit

Parameter Monitored: VOC

Upper Permit Limit: 7 milligrams per liter



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Reference Test Method: Method 25A or 25B
Monitoring Frequency: CONTINUOUS
Averaging Method: 6-HOUR ROLLING AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 2-31: Capping Monitoring Condition

Effective between the dates of 04/06/2005 and 04/25/2007

Applicable State Requirement: 6NYCRR 201-7.2

Item 2-31.1:

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 229.3(d)

Item 2-31.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-31.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-31.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-31.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-31.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00VRU Emission Point: 00VRU
Process: VRU



Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-31.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Motiva Enterprises LLC has chosen a vapor recovery unit that has a carbon adsorption/absorption system. The facility is required to conduct a performance stack test during the effective term of the permit. The facility shall perform an initial test, within 180 days following the completion of the modification to the vapor recovery unit to determine compliance with a 7 milligrams per liter limitation for VOCs. Prior to conducting the initial performance test, the owner or operator shall submit, at least 60 days in advance of the test, to the Department all test protocols for approval. Once the protocol is approved by the Department and the test is completed, a summary report of the test results shall be submitted to the Department within 60 days. Based upon the initial test results, (60 days after the test results are submitted and approved, by the Department), the applicant shall submit a continuous compliance monitoring plan (to be approved by the Department) showing continuous compliance with the VOC limitation. Upon Department approval this monitoring plan shall become an enforceable attachment to the permit. The 7 milligram per liter VOC emissions limitation shall replace all other existing VOC emission limitation conditions for the VRU, in this permit. Also, the facility shall submit protocols (for Department approval) and conduct a compliance test once per the term of the permit (once every five years) to verify compliance (through Department approval of the test) with the 7 milligrams per liter VOC limitation.

During the period between the initial modification of the VRU and the Department acceptance of the applicants continuous compliance monitoring plan, the applicant shall make all reasonable efforts to assure that the VRU operates in compliance with the 7 milligrams per liter VOC emissions. The facility shall maintain records to document the methods used to insure compliance.

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VOC emissions from the vapor recovery unit (VRU) shall not exceed 7 mg/L (6-hour rolling average). Any problems with the unit shall be documented and fixed as soon as possible to ensure that it operates at no higher than this maximum level.

The VRU must be maintained "in good working order" which is defined as "capturing the gasoline vapors during loading of gasoline transport vehicles, and must condense, absorb, adsorb or combust the gasoline vapors so the emissions do not exceed 7 mg/liter of gasoline loaded." In addition, the VRU must be inspected monthly for proper maintenance to ensure compliance with this rule and condition.

The facility is limiting the annual gasoline throughput to 526.9 million gallons and total ethanol plus gasoline throughput to 541,000,000 gallons per year, both at 7 mg/L limit (6 hour rolling average) of VOC emissions on the VRU. The provisions of 40 CFR 63 Subpart R (Gasoline Distribution Facilities - MACT) are not applicable to the Motiva terminal as long as the facility demonstrates that this regulation is not applicable by operating under a 526.9 million gallons of gasoline annual throughput limit and a 7 mg/L limit (6 hour rolling average) on the VRU as stated in 40 CFR 420(a)(2) Subpart R. Motiva will monitor the 7 mg/L limit through the use of a continuous emission monitoring system (CEMS) as described in the continuous emissions plan as required by Condition 20 (condition for 6NYCRR 231-2) of the Mod 0 permit, Condition 1-11 of the Mod 1 permit, and Condition # 2-22 of this Mod 2 permit (conditions for 6 NYCRR 201-7, capping out of 6 NYCRR 231-2). The facility shall maintain records (as required by permit conditions) showing that they are below the applicability threshold for 40 CFR 63 Subpart R. "

The facility has performed an initial performance test on April 25, 2002 that was within 180 days following the completion of the modification to the vapor recovery unit to determine compliance with the 7 milligrams per liter emission limitation for VOCs. The result of the performance test was 0.25 milligrams of VOC per liter.

NEW SOURCE REVIEW APPLICABILITY: As a result of the

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proposed VRU modifications and the replacement of MTBE with ethanol, the potential VOC emissions (at the Loading Rack, Emission Unit U-00VRU) will be 15.8 tpy and the potential facility's VOC emissions will be 56.43 tpy (112,860 lbs/yr). This project will still result in a decrease in potential emissions of VOC from this facility.

Current potential emissions of VOC are limited to 56.92 tpy. This includes 15.8 tpy of potential VOC emissions from the VRU emission point. The remaining facility VOC emissions sources include process and loading rack fugitives as well as storage tank emissions. Under the currently proposed project, facility-wide potential emissions will be reduced to 56.43 tpy of VOC. Potential emissions will remain limited at 15.8 tpy of VOC from the VRU emission point. Since the replacement of MTBE with ethanol will not result in any increase in potential VOC emissions (and in fact there will be a decrease 0.49 tpy, which is the difference between 56.43 and 56.92 tpy) from this project, Non-attainment New Source Review is not applicable to this project.

The Reference Test Method will be the test method in the approved facility's continuous compliance monitoring plan or Method 25A or 25B.

Manufacturer Name/Model Number: Vapor Recovery Unit

Parameter Monitored: VOC

Upper Permit Limit: 7 milligrams per liter

Reference Test Method: Method 25A or 25B

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 6-HOUR ROLLING AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE