



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 2-6405-00073/00060  
Mod 0 Effective Date: 07/01/2009 Expiration Date: 06/30/2014  
Mod 1 Effective Date: 01/24/2012 Expiration Date: 06/30/2014

Permit Issued To: KINDER MORGAN LIQUIDS TERMINALS LLC  
500 DALLAS ST STE 1000  
HOUSTON, TX 77002

Contact: MONIKA NIEDBALA  
KINDER MORGAN LIQUIDS TERMINALS LLC  
4101 ARTHUR KILL RD  
STATEN ISLAND, NY 10309  
(718) 966-2004

Facility: KINDER MORGAN LIQUIDS TERMINALS LLC  
4101 ARTHUR KILL RD  
STATEN ISLAND, NY 10309

Contact: ROBERT PETERS  
KINDER MORGAN  
4101 ARTHUR KILL RD  
STATEN ISLAND, NY 10309  
(718) 966-2005

Description:

**PERMIT DESCRIPTION**  
**Kinder Morgan Liquids Terminals LLC**  
**DEC ID # 2-6405-00073/00060 (Ren 1, Mod 1)**

This project is a major modification to the Kinder Morgan Liquids Terminals LLC Title V permit Renewal #1 that was issued on 7/1/2009. The facility is a gasoline storage facility located in Staten Island, New York.

Kinder Morgan Liquids Terminals LLC is proposing the following major modifications:

1. Kinder Morgan is proposing to install two new gasoline storage tanks TK63 and TK64 (Emission Sources TK63 and TK64) to Emission Unit 2-TANKS and Process GSL. Non-attainment new source review netting analysis was performed for this proposed installation. The netting emission increase determined is less than 25 tons/year for the 5 year look back period. These tanks will be subject to Subpart R and Kb. There is no change in facility-wide VOC PTE, including the addition of the two new tanks and additional loading.
2. Hazardous Air Pollutant Limitation. Kinder Morgan is seeking a facility-wide emission of 25



tons for combination of HAPs and 10 tons per individual HAP. This is being done to effect the current methodology Kinder Morgan Liquid Terminals LLC uses to estimate HAP emissions from the facility. The main difference is 0 MTBE emissions. The change does not exempt the facility from complying with any current MACT regulations with an earlier compliance date but the facility will not be considered a major source of HAPS for any future MACT requirements.

3. Removing Emission Unit 1-MISCT with associated Emission Points 00031 and 00048, with associated Process E21 & FG2, and with associated Emission Sources TK031 & TK048 from the permit. Tank 48 was listed as Process tank containing wastewater contaminated with gasoline and distillates. Kinder Morgan is planning to convert Tank 48 to store #6 residual fuel oil, which is exempt from permitting. NYSDEC Form of List of Exempt Activities is indicating that Tank 48 is exempt from permitting. In addition, Tank 31 in Emission Unit 1-MISCT with design capacity of 39,174 gallons has been removed from the terminal on 9/24/2008. Tank 48 in Emission Unit 1-TANKS is now an exempt source used for #6 fuel oil storage only since 5/31/2009.

4. Removing Condition #100 from Emission Unit 1-TANKS as the regulation is not applicable to the tanks constructed before the applicability dates of 40 CFR 60 Subpart K.

5. The requirement of Boiler MACT Rule (40 CFR 63, Subpart DDDDD) was evaluated. New York State is not requiring existing sources to submit Section 112(j) applications per e-mail from NYSDEC staff in Albany.

Although the facility is located in a severe non-attainment area it is not subject to non-attainment major source new source review requirements since the proposed emissions from the project and the contemporaneous period net increase are less than 25 tons per year.

The two new gasoline storage tanks (Emission Sources TK063 & TK064) are subject to the Federal New Source Performance Standards (NSPS) under 40 CRR 60 Subpart Kb, as well as the MACT requirements under 40 CFR 63, subpart R. Since both these standards have prescribed monitoring requirements, a method of compliance is not required to be completed in the application.

The Kinder Morgan Staten Island (KMSI) Terminal (formerly known as Mobil Oil Corporation - Port Mobil) is owned by Kinder Morgan Liquids Terminals LLC. The KMSI Terminal is located at 4101 Arthur Kill Road in Staten Island, Richmond County, New York. The terminal has been in operation since 1940. The facility is an existing petroleum storage and distribution terminal.

This KMSI Terminal is a petroleum warehousing facility, including two (2) proposed and sixteen (16) above ground active permitted gasoline storage tanks (each tank is equipped with an internal floating roof), and a loading dock for marine transfer operations. Petroleum products are transferred across the loading dock between storage tanks and marine vessels.

Gasoline marine loading emissions are controlled with two (2) identical carbon adsorption systems. The marine loading operation at the KMSI Terminal consists of a total of five (5) berths. The facility modified the marine terminal in November 1994 when two (2) John Zink vapor recovery units (adsorption reduction units) were installed to collect vapors during marine vessel loading. Operation of the vapor recovery units (VRUs) began on November 17, 1994. The KMSI Terminal does not conduct transfer operations to or from cargo tanks, including tank trucks and railcars (and therefore; not subject to 6 NYCRR 230). The standard industrial classification code (SIC) is 4226 - Special Warehousing and Storage.



The KMSI Terminal is a gasoline/distillate marine loading terminal consisting of the following four emission units, 1-BOIL, 1-RACKS, 1-TANKS and 2-TANKS. A complete description of each emission unit is listed below.

Emission Unit 1-BOIL consists of two Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) rated at 23.45 MM BTU/hr each. The two boilers operate on # 2 fuel oil (Process DIS). The two boilers are limited to 1,000,000 gallons of fuel usage each annually for a total throughput cap of 2,000,000 gallons/year. Emissions from each of the two boilers exhaust through its own stack, identified as Emission Points 00023 & 00025; respectively.

Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6 and 8. Only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.

Emission Point LOAD A represents emissions from products requiring and receiving vapor recovery. LOAD A products are potentially loaded at Berth's 1, 1A, 3 and 6. Emission Point LOAD B represents emissions from products not requiring or receiving vapor recovery. LOAD B products are potentially loaded at Berth's 1, 1A, 3, 6 and 8.

Emission Unit 1-RACKS is separated into two main processes, RGS and RDS. RGS represents the loading of marine vessels (ships or barges) with liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through Emission Point LOAD A. Vapors are collected and are sent to the two John Zink vapor reduction units, the "A" unit and the "B" unit (Emission Control VPORS), which are equipped with shared piping to handle the VOC vapors from the controlled loading areas (LOAD A). RDS represents the loading of marine vessels (ships or barges) with liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through Emission Point LOAD B. There is a third process, FG1, which consists of miscellaneous fugitive HAP and VOC emissions from valves, pumps, and flange leakage (Emission Sources/Control 0000A, 0000B & VPORS). All emissions are at insignificant levels from Emission Points LOADA & LOADB.

The vapor recovery system for process RGS utilizes two identical carbon adsorption reduction units, VRU-A and VRU-B (Emission Controls VRU0A & VRU0B), for VOC emission reduction. The two vapor recovery units VRU-A and VRU-B may be utilized alternatively or simultaneously depending upon vessel loading demands. Vessel loading will cease immediately if loading demands exceed the availability and or capability of VRU-A and or VRU-B.

Emission Unit 1-TANKS consists of sixteen (16) storage tanks (Process GAS) of varying volumes permitted to contain petroleum products, including, but not limited to gasoline, constituents of gasoline, fuel grade ethanol, distillate fuel oil, residual fuel oil, diesel fuel oil, and biodiesel. Each of the sixteen storage tanks having a capacity of greater than 40,000 gallons. All of these 16 storage tanks are domed fixed roof tanks with internal floating roofs. The sixteen storage tanks are defined as Emission Sources TK044, TK045, TK049, TK050, TK051, TK052, TK053, TK054, TK055, TK056, TK057, TK058, TK059, TK060, TK061 & TK062 with Emission Points 00044, 00045, 00049, 00050, 00051, 00052, 00053, 00054, 00055, 00056, 00057, 00058, 00059, 00060, 00061 & 00062, respectively.

Emission Unit 2-TANKS consists of two (2) proposed gasoline storage tanks (Process GSL) of varying volumes permitted to contain petroleum products, including, but not limited to gasoline, constituents of gasoline, fuel grade ethanol, distillate fuel oil, residual fuel oil, diesel fuel oil, and



biodiesel. Each of the two new storage tanks, Tank 63 and Tank 64 have a capacity of 5,922,000 gallons, which is greater than 40,000 gallons. Both storage tanks are domed fixed roof tanks with an internal floating roofs (Emission Controls TK63C and TK64C; respectively). These two new storage tanks are defined as Emission Sources TK063 and TK064, and have corresponding Emission Points 00063 and 00064; respectively.

These two new tanks are subject to NSPS and MACT requirements. These tanks will be subject to Subpart R and Kb. There is no change in facility-wide VOC PTE, including the addition of the two new tanks and additional loading.

Non-attainment New Source Review (6 NYCRR 231-2) netting analysis was performed for this proposed installation. The netting emission increase determined is less than 25 tons/year for the 5 year look back period.

The facility operates other sources which are considered exempt from permitting in accordance with 6NYCRR 201-3.2(c), including twenty-four (24) distillate and residual fuel oil storage tanks with a storage capacity of <300,000 bbls and seven (7) storage tanks with a capacity of <10,000 gallons.

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  
NYSDEC  
47-40 21ST ST  
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 compliance 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 any 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, modifications and transfers
  - Permit modifications, suspensions or revocations by the Department
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  - Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application 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:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of 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 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**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.

**Item 3.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be



submitted prior to actual transfer of ownership.

**Condition 1-1: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 1-1.1:**

The Department reserves the right to exercise all available authority 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 5: Permit modifications, suspensions or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 5.1:**

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 or revocations by the Department**

**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 6: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS**

**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 6.1:**

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

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: KINDER MORGAN LIQUIDS TERMINALS LLC  
500 DALLAS ST STE 1000  
HOUSTON, TX 77002

Facility: KINDER MORGAN LIQUIDS TERMINALS LLC  
4101 ARTHUR KILL RD  
STATEN ISLAND, NY 10309

Authorized Activity By Standard Industrial Classification Code:  
4226 - SPECIAL WAREHOUSING & STORAGE

Mod 0 Permit Effective Date: 07/01/2009

Permit Expiration Date: 06/30/2014

Mod 1 Permit Effective Date: 01/24/2012

Permit Expiration Date: 06/30/2014



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 1-1 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 1-2 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 1-3 6 NYCRR 202-1.1: Required Emissions Tests
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 6 NYCRR 201-6.5 (e): Compliance Certification
- 1-4 6 NYCRR 201-6.5 (f) (4): Compliance Certification
- 1-5 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 25 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 26 6 NYCRR 202-2.1: Compliance Certification
- 27 6 NYCRR 202-2.1: Compliance Certification
- 1-6 6 NYCRR 211.1: Air pollution prohibited
- 28 6 NYCRR 225-1.2: Compliance Certification
- 29 6 NYCRR 225-1.2: Compliance Certification
- 30 6 NYCRR 225-1.8: Compliance Certification
- 31 6 NYCRR 225-3.3 (a): Compliance Certification
- 32 6 NYCRR 225-3.4 (a): Compliance Certification
- 33 6 NYCRR 225-3.4 (b): Compliance Certification
- 34 6 NYCRR 225-3.4 (c): Compliance Certification
- 35 6 NYCRR 225-3.4 (d): Compliance Certification
- 1-7 6 NYCRR 229.1 (b) (1) (i): Compliance Certification
- 1-8 6 NYCRR 229.3 (a): Compliance Certification
- 1-9 6 NYCRR 229.3 (e) (1): Compliance Certification



- 36 6 NYCRR 229.3 (f) (2): Compliance Certification
- 37 6 NYCRR 229.3 (f) (2): Compliance Certification
- 38 6 NYCRR 229.4 (a): Testing and monitoring requirements
- 39 6 NYCRR 229.4 (a): Compliance Certification
- 1-10 6 NYCRR 229.5: Compliance Certification
- 1-11 6 NYCRR 229.5 (a): Compliance Certification
- 40 6 NYCRR 229.5 (e): Compliance Certification
- 1-12 40CFR 60.110b, NSPS Subpart Kb: Compliance Certification
- 1-13 40CFR 60.112b(a), NSPS Subpart Kb: Compliance Certification
- 1-14 40CFR 60.113b, NSPS Subpart Kb: Compliance Certification
- 1-15 40CFR 60.113b(a)(2), NSPS Subpart Kb: Compliance Certification
- 1-16 40CFR 60.113b(a)(4), NSPS Subpart Kb: Compliance Certification
- 1-17 40CFR 60.113b(a)(5), NSPS Subpart Kb: Compliance Certification
- 1-18 40CFR 60.115b(a), NSPS Subpart Kb: Compliance Certification
- 1-19 40CFR 60.116b, NSPS Subpart Kb: Compliance Certification
- 1-20 40CFR 60.116b, NSPS Subpart Kb: Compliance Certification
- 1-21 40CFR 63.423, Subpart R: Compliance Certification
- 41 40CFR 63.424, Subpart R: Compliance Certification
- 42 40CFR 63.427(c), Subpart R: Compliance Certification
- 1-22 40CFR 63.428, Subpart R: Compliance Certification
- 43 40CFR 63.429, Subpart R: Compliance Certification
- 44 40CFR 63.566, Subpart Y: Compliance Certification

**Emission Unit Level**

- 45 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 46 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=1--BOIL,EP=00023,Proc=DIS,ES=BOL23**

- 1-23 6 NYCRR 201-6.5 (f) (4): Compliance Certification
- 47 6 NYCRR 227-1.3: Compliance Certification
- 48 6 NYCRR 227-1.3 (a): Compliance Certification

**EU=1--BOIL,EP=00025,Proc=DIS,ES=BOL25**

- 1-24 6 NYCRR 201-6.5 (f) (4): Compliance Certification
- 50 6 NYCRR 227-1.3: Compliance Certification
- 51 6 NYCRR 227-1.3 (a): Compliance Certification

**EU=1-RACKS**

- 53 6 NYCRR 229.1 (b) (2) (v): Compliance Certification
- 54 6 NYCRR 229.1 (b) (2) (v): Compliance Certification
- 55 6 NYCRR 229.1 (g) (3): Compliance Certification
- 56 40CFR 63.560(c), Subpart Y: Part 63 General Provisions requirements
- 57 40CFR 63.562, Subpart Y: Compliance Certification
- 58 40CFR 63.562(a), Subpart Y: Compliance Certification
- 59 40CFR 63.562(b)(1)(i), Subpart Y: Compliance Certification
- 60 40CFR 63.562(b)(1)(ii), Subpart Y: Compliance Certification
- 61 40CFR 63.562(b)(1)(iii), Subpart Y: Compliance Certification
- 62 40CFR 63.562(b)(2), Subpart Y: Compliance Certification
- 63 40CFR 63.562(b)(5), Subpart Y: Compliance Certification
- 64 40CFR 63.562(b)(6), Subpart Y: Compliance Certification
- 65 40CFR 63.562(e)(1), Subpart Y: Compliance Certification
- 66 40CFR 63.562(e)(2), Subpart Y: Compliance Certification
- 67 40CFR 63.562(e)(4), Subpart Y: Compliance Certification



- 68 40CFR 63.562(e)(5), Subpart Y: Compliance Certification
- 69 40CFR 63.562(e)(6), Subpart Y: Compliance Certification
- 70 40CFR 63.563, Subpart Y: Compliance Certification
- 71 40CFR 63.563(a), Subpart Y: Compliance Certification
- 72 40CFR 63.563(b), Subpart Y: Compliance Certification
- 73 40CFR 63.563(b), Subpart Y: Compliance Certification
- 74 40CFR 63.563(c), Subpart Y: Compliance Certification
- 75 40CFR 63.564, Subpart Y: Compliance Certification
- 76 40CFR 63.564(a)(1), Subpart Y: Compliance Certification
- 77 40CFR 63.564(a)(2), Subpart Y: Compliance Certification
- 78 40CFR 63.564(a)(3), Subpart Y: Compliance Certification
- 79 40CFR 63.564(a)(4), Subpart Y: Compliance Certification
- 80 40CFR 63.564(a)(5), Subpart Y: Compliance Certification
- 81 40CFR 63.564(c), Subpart Y: Compliance Certification
- 82 40CFR 63.564(c), Subpart Y: Compliance Certification
- 83 40CFR 63.564(g), Subpart Y: Compliance Certification
- 84 40CFR 63.564(j), Subpart Y: Compliance Certification
- 85 40CFR 63.565(a), Subpart Y: Compliance Certification
- 86 40CFR 63.565(b), Subpart Y: Compliance Certification
- 87 40CFR 63.565(d), Subpart Y: Compliance Certification
- 88 40CFR 63.565(g), Subpart Y: Compliance Certification
- 89 40CFR 63.565(l), Subpart Y: Compliance Certification

**EU=1-RACKS,Proc=RGS**

- 90 6 NYCRR 229.1 (g): Compliance Certification
- 91 6 NYCRR 229.1 (g) (5): VOC compliance

**EU=1-RACKS,EP=LOADA,Proc=RGS**

- 92 6 NYCRR 229.3 (f): Marine Vessel Loading

**EU=1-RACKS,EP=LOADA,Proc=RGS,ES=VPORS**

- 93 6 NYCRR 229.3 (d) (1): Compliance Certification

**EU=1-RACKS,EP=LOADA,Proc=RGS,ES=VRU0A**

- 94 40CFR 63.564(g), Subpart Y: Compliance Certification

**EU=1-RACKS,EP=LOADA,Proc=RGS,ES=VRU0B**

- 95 40CFR 63.564(g), Subpart Y: Compliance Certification

**EU=1-TANKS**

- 96 6 NYCRR 229.1 (b) (1) (i): Compliance Certification
- 97 6 NYCRR 229.3 (a): Compliance Certification
- 98 6 NYCRR 229.3 (a): Compliance Certification
- 99 6 NYCRR 229.5 (a): Compliance Certification
- 101 40CFR 63.423, Subpart R: Compliance Certification
- 102 40CFR 63.428, Subpart R: Compliance Certification

**EU=2-TANKS,EP=00063,Proc=GSL,ES=TK63C**

- 1-25 40CFR 60.112b(a), NSPS Subpart Kb: Standards for VOCs.

**STATE ONLY ENFORCEABLE CONDITIONS**  
**Facility Level**

**New York State Department of Environmental Conservation**

**Permit ID: 2-6405-00073/00060**

**Facility DEC ID: 2640500073**



- 103 ECL 19-0301: Contaminant List
- 104 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 105 6 NYCRR 211.2: Air pollution prohibited
- 1-26 6 NYCRR 211.2: Visible Emissions Limited

**Emission Unit Level**

**EU=1--BOIL,EP=00023,Proc=DIS,ES=BOL23**

- 1-27 6 NYCRR 227-2.4 (d): Compliance Demonstration

**EU=1--BOIL,EP=00025,Proc=DIS,ES=BOL25**

- 1-28 6 NYCRR 227-2.4 (d): Compliance Demonstration



**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: Emergency Defense - 6 NYCRR 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 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 B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 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 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.



**Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 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 D: Certification by a Responsible Official - 6 NYCRR 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 E: Requirement to Comply With All Conditions - 6 NYCRR 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 F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 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 G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 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 H: Property Rights - 6 NYCRR 201-6.5 (a) (6)**

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



**Item I: Severability - 6 NYCRR 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 J: Permit Shield - 6 NYCRR 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 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 K: Reopening for Cause - 6 NYCRR 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 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 L: 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 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 M: 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.

**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: Acceptable Ambient Air Quality**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 1.1:**

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.

**Condition 1-1: Fees**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (7)**

**Item 1-1.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and reporting of compliance monitoring**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 3.1:**



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 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 4.1:**

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 5: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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 (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.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. 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 an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

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 Quality Assurance (BQA) 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), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 6 calendar month(s).



**Condition 6: Compliance Certification**  
Effective between the dates of 07/01/2009 and 06/30/2014

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

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 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

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



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 Quality Assurance (BQA) 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 BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
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 7/30/2010.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 8.1:**

(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.

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR Part 215**

**Item 9.1:**

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

**Condition 1-2: Open Fires - Prohibitions**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 215.2**

**Item 1-2.1:**

Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item 1-2.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.



- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**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 10: Maintenance of Equipment  
Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 200.7**

**Item 10.1:**

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.



**Condition 11: Recycling and Salvage**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 11.1:**

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 the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 12.1:**

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.

**Condition 13: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-3.2 (a)**

**Item 13.1:**

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 this Subpart. 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 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.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-3.3 (a)**

**Item 14.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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.

**Condition 15: Standard Requirement - Provide Information**



**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (4)**

**Item 15.1:**

The owner and/or operator 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. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (8)**

**Item 16.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart 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 emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (d) (5)**

**Item 17.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. 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 or corrective measures adopted.



**Condition 18: Off Permit Changes**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 201-6.5 (f) (6)**

**Item 18.1:**

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 provision 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 as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

**Condition 1-3: Required Emissions Tests**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 1-3.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 19.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 21: Accidental release provisions.**  
**Effective between the dates of 07/01/2009 and 06/30/2014**



**Applicable Federal Requirement:40 CFR Part 68**

**Item 21.1:**

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

**Condition 22:     Recycling and Emissions Reduction**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 22.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**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 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 23.1(From Mod 1):**

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

Emission Unit: 1--BOIL

Emission Unit Description:

Emission Unit 1-BOIL consists of two Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) rated at 23.45 MM BTU/hr each. The two boilers operate on # 2 fuel oil (Process DIS). The two boilers are limited to 1,000,000



gallons of fuel usage each annually for a total throughput cap of 2,000,000 gallons/year.

There are two identical stacks, Emission Points 00023 & 00025. Emissions from each of the two boilers exhaust through its own stack, identified as Emission Points 00023 & 00025. Emissions from Boiler BOL23 exhaust through Emission Point 00023, and emissions from Boiler BOL25 exhaust through Emission Point 00025.

Building(s): BOILER HSE

**Item 23.2(From Mod 1):**

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

Emission Unit: 1-RACKS

Emission Unit Description:

Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6 and 8. Only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.

Emission Point LOAD A represents emissions from products requiring and receiving vapor recovery. LOAD A products are potentially loaded at Berth's 1, 1A, 3 and 6. Emission Point LOAD B represents emissions from products not requiring or receiving vapor recovery. LOAD B products are potentially loaded at Berth's 1, 1A, 3, 6 and 8.

Emission Unit 1-RACKS is separated into two processes, RGS and RDS. RGS represents the transfer of liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through Emission Point LOAD A. RDS represents the transfer of liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through Emission Point LOAD B.

The vapor recovery system for process RGS utilizes two identical carbon adsorption systems, VRU-A and VRU-B, for VOC emission reduction. VRU-A and VRU-B may be utilized alternatively or simultaneously depending upon vessel loading demands. Vessel loading will cease immediately if loading demands exceed the availability and or capability of VRU-A and or VRU-B.

The marine terminal at the facility was modified in November 1994, when two (2) John Zink vapor recovery units (adsorption/absorption reduction units) were installed, to collect the vapors coming out during the marine loading of



the tank vessels. Operation of the VRUs began on November 17, 1994.

Building(s): LOADING AR

**Item 23.3(From Mod 1):**

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

Emission Unit: 1-TANKS

Emission Unit Description:

Emission Unit 1-TANKS consists of sixteen (16) storage tanks (Process GAS) of varying volumes permitted to contain petroleum products, including, but not limited to gasoline, constituents of gasoline, fuel grade ethanol, distillate fuel oil, residual fuel oil, diesel fuel oil, and biodiesel. Each of the sixteen storage tanks having a capacity of greater than 40,000 gallons. All of these 16 storage tanks are domed fixed roof tanks with internal floating roofs (Emission Controls TK44C, TK45C, TK49C, TK50C, TK51C, TK52C, TK53C, TK54C, TK55C, TK56C, TK57C, TK58C, TK59C, TK60C, TK61C & TK62C). The sixteen storage tanks are defined as Emission Sources TK044, TK045, TK049, TK050, TK051, TK052, TK053, TK054, TK055, TK056, TK057, TK058, TK059, TK060, TK061 & TK062 with Emission Points 00044, 00045, 00049, 00050, 00051, 00052, 00053, 00054, 00055, 00056, 00057, 00058, 00059, 00060, 00061 & 00062; respectively.

Emission Unit 1-TANKS also consists of Tank 48 (TNK48), containing #6 fuel oil, which is exempt from permitting.

Building(s): TANK FARM

**Item 23.4(From Mod 1):**

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

Emission Unit: 2-TANKS

Emission Unit Description:

Emission Unit 2-TANKS consists of two (2) proposed gasoline storage tanks (Process GSL) of varying volumes permitted to contain petroleum products, including, but not limited to gasoline, constituents of gasoline, fuel grade ethanol, distillate fuel oil, residual fuel oil, diesel fuel oil, and biodiesel. Each of the two new storage tanks, Tank 63 and Tank 64 have a capacity of 5,922,000 gallons, which is greater than 40,000 gallons.



Both storage tanks are domed fixed roof tanks with an internal floating roofs (Emission Controls TK63C and TK64C; respectively). These two new storage tanks are defined as Emission Sources TK063 and TK064, and have corresponding Emission Points 00063 and 00064; respectively.

These two new tanks are subject to NSPS and MACT requirements. These tanks will be subject to Subpart R and Kb. There is no change in facility-wide VOC PTE, including the addition of the two new tanks and additional loading.

Non-attainment New Source Review (6 NYCRR 231-2) netting analysis was performed for this proposed installation. The netting emission increase determined is less than 25 tons/year for the 5 year look back period.

Building(s): TANK FARM

**Condition 24: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**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:

Permit Shield. Except as otherwise provided in this Subpart, the Department shall expressly include in a facility permit a provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance. This permit shield applies provided all 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 Part 621 of this Title or from exercising its summary abatement authority. Nothing in this paragraph or in any Title V facility permit shall alter or affect the following:

- (1) 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 contributing to such pollution;

(2) The liability of an owner or operator of a Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

(3) The applicable requirements of Title IV of the Act;

(4) The ability of the Department or the Administrator to obtain information from a facility owner and/or operator concerning the ability to enter, inspect and monitor the facility.

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 1/30/2010.

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

**Condition 1-4: Compliance Certification**  
Effective between the dates of 01/24/2012 and 06/30/2014

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (f) (4)**

**Item 1-4.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1--BOIL  
Process: DIS

Emission Point: 00023  
Emission Source: BOL23

Emission Unit: 1--BOIL  
Process: DIS

Emission Point: 00025  
Emission Source: BOL25

Regulated Contaminant(s):  
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 1-4.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



The two Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) in Emission Unit 1-BOIL operate on # 2 fuel oil (Process DIS) and limited to 1,000,000 gallons of fuel usage each annually for a total throughput cap of 2,000,000 gallons/year.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 2,000,000 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 7/30/2012.

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

**Condition 1-5: Non Applicable requirements  
Effective between the dates of 01/24/2012 and 06/30/2014**

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

**Item 1-5.1:**

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) 6 NYCRR Subpart 231-2

Reason: ANALYSIS OF CONTEMPORANEOUS EMISSION INCREASE/DECREASE

The Kinder Morgan Staten Island Terminal is a major VOC emitting facility located within severe ozone non-attainment area. The facility is proposing to install two new above ground storage tanks for gasoline, fuel grade ethanol, fuel oil, etc. The installation of these two new tanks results in a potential VOC emissions of 22.72 TPY, which exceeds the applicable significant project threshold of 2.5 TPY, in Table 3 of 6 NYCRR 231-13. In addition, Kinder Morgan is not requesting any increase in the facility-wide potential emissions. New Source Review permitting requirements apply to a new VOC source at such facilities only if the proposed new source causes a net emission increase in the facility's potential to emit, which when aggregated with the other qualifying new emissions increases, results in a net emission increase of 25 tons/year.

The requirements of 6 NYCRR 231-6.1(2) apply to a modification with a project emission potential which equals or exceeds the applicable significant project threshold, but does not result in a NSR major modification. The facility owner or operator must comply



with the provisions of section 231-6.2 of this Subpart, which requires a netting analysis.

A netting emission increase determination shall be confined to the appropriate contemporaneous period, the period beginning five years prior to the proposed commence construction date of the new or modified emission source, and ending with the proposed commence operation date. Those emissions that occurred over the contemporaneous period must ne included in calculating the potential emission increase.

The following documents the VOC emission increases during this 5-year look back period of Kinder Morgan Staten Island Terminal.

Year Increase	Project Name	VOC Emission
2005 0	N/A	
2006 0	N/A	
2007 0	N/A	
2008 0	N/A	
2009 0	N/A	
2010	Tanks 63 & 64 Installation	22.72
Total VOC Emission Increase		22.72

5-Year Look Back Period (2005-2010):

The estimated potential emissions from the new sources (Tanks 63 & 64 Installation) at Kinder Morgan are approximately 22.72 TPY. Kinder Morgan Staten Island Terminal has not installed any new emission sources nor done any modification resulting in VOC emission increase during this contemporaneous period. Therefore, the net increase for the 5-year look back is 22.72 TPY.

Net VOC emissions Increase = 22.72 tons



Therefore, the installation and operation of the proposed two new storage tanks will not trigger the New Source Requirements of 6 NYCRR Part 231.

40 CFR Part 63, Subpart WW

Reason: This terminal is not subject to 40 CFR 63.1063, Subpart WW - GMACT - NESHAP for Storage Vessels - Control Level 2 - Floating roof requirements (6/29/1999). However; the two new tanks, Tank #63 & Tank #64 (Emission Sources/Controls TK63P & TK64P/TK63C & TK64C) are subject to 40 CFR Part 60, Subpart Kb and to 40 CFR Part 63, Subpart R.

40 CFR Part 63, Subpart BBBB

Reason: This gasoline terminal is not subject to 40 CFR Part 63, Subpart BBBB - NESHAP for Area source Gasoline Distribution Bulk Terminal, Bulk Plants, and Pipeline Facilities requirements. Pursuant to NESHAP 40 CFR Part 63.11081(a)(1) - Generic MACT - Compliance with standards and operation and maintenance requirements, the facility is either subject to Subpart BBBB or Subpart R, but not both. The facility has been subject to 40 CFR Part 63, Subpart R.

40 CFR Part 64

Reason: This facility is exempt from 40 CFR Part 64 - Compliance Assurance Monitoring Plan rule (CAM) standards, which provides a reasonable assurance of compliance, since it is subject to 40 CFR Part 63, Subpart Y - NESHAP - Marine Tank Vessel Loading Operation (9/19/1995).

For control of the VOC emissions, this gasoline terminal operates one Vapor Recovery Unit (VRU) with another VRU as a back-up unit, which is subject to the NESHAP Subpart Y, and operates a continuous VOC CEMS as per of Subpart Y requirements to ensure continuous compliance.



**Condition 25: Non Applicable requirements**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 25.1:**

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.

6 NYCRR 225-3.6

Reason: Regulation 6 NYCRR 225-3.6 was amended on 10/24/2001, to remove the oxygen content requirement for gasoline.

6 NYCRR 225-3.6 (d)

Reason: Regulation 6 NYCRR 225-3.6(d) was amended on 10/24/2001, to remove the oxygen content requirement for gasoline.

6 NYCRR 229.3 (b)

Emission Unit: 1RACKS Process: RGS

Reason: Regulation 6 NYCRR 229.3(b) for VOC at Emission Unit 1-RACKS and Process RGS is not applicable to Kinder Morgan Staten Island Marine Terminal because this facility does not operate any external floating roof gasoline tanks at this terminal and does not load gasoline into transport vehicles either.

6 NYCRR 229.3 (d)

Emission Unit: 1RACKS Emission Point: LOADA

Reason: Regulation 6 NYCRR 229.3(d) for LOADA is not applicable to this facility because this regulation refers to gasoline truck loading terminals, and this facility does not have a truck loading rack. This facility is only a Marine Vessel Loading facility.

6 NYCRR 229.3 (d)

Reason: Regulation 6 NYCRR 229.3(d) for annual inspections is not applicable to this facility because Kinder Morgan Staten Island Marine Terminal does not have any petroleum liquid external floating roof tanks. Also, 6 NYCRR 229.3(d) is not applicable to this facility because there is no loading of transport vehicles at Kinder Morgan Staten Island Marine Terminal.

6 NYCRR 229.3 (d)

Emission Unit: 1RACKS Emission Point: LOADB

Reason: Regulation 6 NYCRR 229.3(d) for LOADB is not applicable to



this facility because this regulation refers to gasoline truck loading terminals, and this facility does not have a truck loading rack. This facility is only a Marine Vessel Loading facility.

40 CFR Part 60, Subpart 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 sixteen (16) storage tanks were constructed and began operation on or before 1954 which is before the applicability dates of 40 CFR 60 Subpart K (6/11/1973 - 5/19/1978). Specifically, Tanks 44 & 45 were constructed in 1940; Tanks 49, 50, 51 & 52 were constructed in 1943; Tanks 53 & 54 were constructed in 1947; Tanks 55, 56 & 57 were constructed in 1948; Tank 60 was constructed in 1950; Tanks 58 & 59 were constructed in 1951; and Tanks 61 & 62 were constructed in 1954. 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 sixteen (16) storage tanks are in Emission Unit 1-TANKS and they are Tanks 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62.

40 CFR Part 60, Subpart 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 sixteen (16) storage tanks were constructed and began operation on or before 1954 which is before the applicability dates of 40 CFR 60 Subpart Ka (5/18/1978 - 7/23/1984). Specifically, Tanks 44 & 45 were constructed in 1940; Tanks 49, 50, 51 & 52 were constructed in 1943; Tank 53 and 54 were constructed in 1947; Tanks 55, 56 & 57 were constructed in 1948; Tank 60 was constructed in 1950; Tanks 58 & 59 were constructed in 1951; and Tanks 61 & 62 were constructed in 1954. 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 sixteen (16) storage tanks are in Emission Unit 1-TANKS and they are Tanks 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62.

40 CFR Part 60, Subpart 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 sixteen (16) storage tanks were constructed and began operation on or before 1954 which is before the applicability date of 40 CFR 60 Subpart Kb (7/23/1984). Specifically, Tanks 44 & 45 were constructed in 1940; Tanks 49, 50, 51 & 52 were constructed in 1943; Tank 53 & 54 were constructed in



1947; Tanks 55, 56 & 57 were constructed in 1948; Tank 60 was constructed in 1950; Tanks 58 & 59 were constructed in 1951; and Tanks 61 & 62 were constructed in 1954. 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 sixteen (16) storage tanks are in Emission Unit 1-TANKS and they are Tanks 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62.

40 CFR Part 60, Subpart XX

Reason: NSPS for Standard of Performance for Bulk gasoline Terminals Loading Racks over 20,000 gallons per day, 40 CFR 60 Subpart XX - reporting and recordkeeping is non-applicable for this facility because this facility does not have a truck loading rack, it is a marine terminal only and it does not deliver liquid product into gasoline tank trucks.

40 CFR 63.427

Reason: Regulation 40 CFR 63.427(a) & (b), Subpart R is not applicable to this facility because there are no vapor controls at this facility for Subpart R compliance, mainly because gasoline cargo tanks (delivery tank trucks or railcars) are not loaded at this facility.

Regulation 40 CFR 63.428(c) 1-3, Subpart R is not applicable to this facility because there are no vapor controls at this facility for Subpart R compliance, mainly because gasoline cargo tanks (delivery tank trucks or railcars) are not loaded at this facility.

40 CFR 63.560 (a) (1)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.560(a)(1), Subpart Y at Emission Unit 1-RACKS is for the applicability provisions to Subpart Y for HAP. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

40 CFR 63.560 (e) (1) (i)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.560(e)(1)(i), Subpart Y is for the compliance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

40 CFR 63.560 (e) (2) (i)



Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.560(e)(2)(i), Subpart Y is for the compliance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

40 CFR 63.560 (e) (2) (ii)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.560(e)(2)(ii), Subpart Y is for the compliance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

40 CFR 63.560 (e) (2) (v)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.560(e)(2)(v), Subpart Y is for the extension of compliance allowance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS of up to 1 year if it can demonstrate that the additional time is necessary for installation of the control device. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

40 CFR 63.562 (e) (3)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.562(e)(3), Subpart Y for MACT Sources for HAP at Emission Unit 1-RACKS is not applicable to this facility because the QA/QC (O & M) Plan has already been accepted by EPA and the QA/QC Plan was not deficient and therefore no changes are required.

40 CFR 63.564 (b) (1)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.564(b)(1), Subpart Y for MACT Sources for HAP at Emission Unit 1-RACKS is not applicable to this facility because the vapor collection system at the terminal does not contain any vent stream by-passes or valves that could divert a vent stream from the control device.



40 CFR 63.564 (b) (2)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.564(b)(2), Subpart Y for MACT Sources for HAP at Emission Unit 1-RACKS is not applicable to this facility because the vapor collection system at the terminal does not contain any vent stream by-passes or valves (i. e. entrance to by-passline) that could divert a vent stream from the control device to the atmosphere.

40 CFR 63.564 (b) (3)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.564(b)(3), Subpart Y for MACT Sources for HAP at Emission Unit 1-RACKS is not applicable to this facility because the vapor collection system at the terminal does not contain any vent stream by-passes or valves (i. e. entrance to by-passline) that could divert a vent stream from the control device to the atmosphere.

40 CFR 63.565 (f) (2)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.565(f)(2), Subpart Y is not applicable to KMSI Marine Terminal as per 40 CFR 563(b)(6)(ii), where the owner or operator shall comply with paragraph (b)(6)(ii)(A), (B), or (C). KMSI Marine Terminal complies with (A) for monitoring outlet VOC concentration. Therefore, baseline stream flow and temperature with steam regeneration specified under (C) is not applicable.

40 CFR 63.565 (h)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.563(b)(6)(ii), Subpart Y is not applicable to KMSI Marine Terminal as per 40 CFR 563(b)(6)(ii), where the owner or operator shall comply with paragraph (b)(6)(ii)(A), (B), or (C). KMSI Marine



Terminal complies with (A) for monitoring outlet VOC concentration. Therefore, baseline regenerative time for vacuum regeneration under (B) is not applicable.

40 CFR 63.565 (i)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.565(i), Subpart Y is not applicable to KMSI Marine Terminal as per 40 CFR 563(b)(6)(ii), where the owner or operator shall comply with paragraph (b)(6)(ii)(A), (B), or (C). KMSI Marine Terminal complies with (A) for monitoring outlet VOC concentration.

Therefore, baseline vacuum pressure for vacuum regeneration under (B) is not applicable.

40 CFR 63.565 (j)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.565(j), Subpart Y for MACT Sources for HAP at Emission Unit 1-RACKS is not applicable to this facility because the adsorption system (John Zink VRUs) is vacuum regenerated and compliance is demonstrated by the continuous monitoring of VOC outlet concentration (CEMs) on the stack as per 40 CFR 63.565(g).

40 CFR 63.565 (m)

Emission Unit: 1RACKS

Reason: Regulation 40 CFR 63.565(m), Subpart Y for MACT Sources for HAP at Emission Unit 1-RACKS is not applicable to this facility because there is no alternative testing procedure or method used.

**Condition 26: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**



**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 26.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) Any owner or operator of a facility in a nonattainment area for ozone must submit an emission statement to the Department for any calendar year in which the facility has the potential to emit any regulated air pollutant listed in table 1, at a rate which equals or exceeds the applicable threshold:

TABLE

1

FACILITY REPORTING  
 THRESHOLDS--NONATTAINMENT AREAS

Air Contaminant (tons/year)	Threshold
Volatile Organic Compounds ("VOC")	25
Oxides of Nitrogen ("NO{x}")	25
Carbon Monoxide ("CO")	100
Sulfur Dioxide ("SO2")	100
Particulate Matter, diameters less than 10 microns ("PM10")	100
Lead and its compounds *	



5

Any one hazardous air pollutant  
10

Combination of hazardous air pollutants  
25

Any other regulated air pollutant  
100

\* lead and its compounds, measured as  
elemental lead

(c) If the actual emissions or potential to emit of a facility equals or exceeds the facility reporting threshold for any regulated air pollutant, emissions of all regulated air pollutants emitted must be reported even if the other regulated air pollutants are emitted at a level below their respective thresholds. Regulated air pollutants must be reported as individual chemicals (chemical abstract number) as listed in the facility's certificates to operate issued pursuant to Part 201 of this Title. Where possible, the potential to emit will be determined by the Department from a facility's current permits, issued pursuant to Part 201 of this Title.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 27: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



Monitoring Description:

(a) Any owner or operator of a facility in a nonattainment area for ozone must submit an emission statement to the Department for any calendar year in which the facility has the potential to emit any regulated air pollutant listed in table 1, at a rate which equals or exceeds the applicable threshold:

TABLE

1

FACILITY REPORTING  
THRESHOLDS--NONATTAINMENT AREAS

Air Contaminant (tons/year)	Threshold
Volatile Organic Compounds ("VOC")	25
Oxides of Nitrogen ("NO{x}")	25
Carbon Monoxide ("CO")	100
Sulfur Dioxide ("SO2")	100
Particulate Matter, diameters less than 10 microns ("PM10")	100
Lead and its compounds *	5
Any one hazardous air pollutant	10
Combination of hazardous air pollutants	25
Any other regulated air pollutant	



100

\* lead and its compounds, measured as elemental lead

(b) Any owner or operator of a facility in areas designated as attainment for ozone must submit an emission statement to the Department for any calendar year in which the facility has the potential to emit any regulated air pollutant listed in table 2 at a rate which equals or exceeds the applicable threshold:

TABLE

2

FACILITY REPORTING THRESHOLDS--ATTAINMENT AREAS (OZONE TRANSPORT REGION)

Air Contaminant (tons/year)	Threshold
VOC	50
NO <sub>x</sub>	100
CO	100
SO <sub>2</sub>	100
PM <sub>10</sub>	100
Lead and its compounds *	5
Any one hazardous air pollutant	10
Combination of hazardous air pollutants	25
Any other regulated air pollutant	100



\* lead and its compounds, measured as elemental lead

(c) If the actual emissions or potential to emit of a facility equals or exceeds the facility reporting threshold for any regulated air pollutant, emissions of all regulated air pollutants emitted must be reported even if the other regulated air pollutants are emitted at a level below their respective thresholds. Regulated air pollutants must be reported as individual chemicals (chemical abstract number) as listed in the facility's certificates to operate issued pursuant to Part 201 of this Title. Where possible, the potential to emit will be determined by the Department from a facility's current permits, issued pursuant to Part 201 of this Title.

(d) Any facility with a source(s) subject to the Federal new source performance standards (NSPS) set forth in 40 CFR 60, or to the national emission standards for hazardous air pollutants (NESHAPS) set forth in 40 CFR 61, is subject to the requirements of this Subpart, except for the following:

(1) sources subject to 40 CFR 60, subpart AAA, standards of performance for new residential wood heaters; and

(2) sources subject to 40 CFR 61, subpart M, NESHAPS for asbestos, section 61.145, standards for demolition and renovation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 1-6: Air pollution prohibited**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 211.1**



**Item 1-6.1:**

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 28: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 225-1.2**

**Item 28.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 28.2:**

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 - number 4, number 5 and/or number 6 fuel oil is for the New York City area. The facility must maintain records on site for every sale or purchase of fuel oil and its sulfur content for a minimum of three years after the date of the last entry.

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 KMSI Marine 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.

Note that KMSI Marine Terminal does not sell or offer for sale any fuels from this terminal.

The reference test method for determining the sulfur content in fuel oil is any test method that is acceptable

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



to the commissioner or New York State Department of Environmental Conservation. ASTM Method D4292 is one such method, but is not specifically required by New York State.

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  
Reference Test Method: Acceptable Method  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2010.  
Subsequent reports are due every 12 calendar month(s).

**Condition 29: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 225-1.2**

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 29.2:**

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 (#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 facility must maintain records on site for every sale or purchase of fuel oil and its sulfur content for a minimum of three years after the date of the last entry.

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 KMSI Marine

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



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.

Note that KMSI Marine Terminal does not sell or offer for sale any fuels from this terminal.

The reference test method for determining the sulfur content in fuel oil is any test method that is acceptable to the commissioner or New York State Department of Environmental Conservation. ASTM Method D4292 is one such method, but is not specifically required by New York State.

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  
Reference Test Method: Acceptable Method  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2010.  
Subsequent reports are due every 12 calendar month(s).

**Condition 30: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 225-1.8**

**Item 30.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:  
225-1.8 Reports, sampling and analysis.

(a) The commissioner may require an owner of an air contamination source to retain for up to three years, and to submit to him, fuel analyses, information on the quantity of fuel received, burned or sold, and results of stack sampling, stack monitoring and other procedures to ensure compliance with the provisions of this Subpart.



(b) (1) Any person 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.

(2) Such 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 value of coal.

(c) Persons required to maintain and retain records pursuant to subdivision (b) of this section must make such records available for inspection during normal business hours by the commissioner or his representative, and must furnish copies of such records to the commissioner or his representative upon request.

(d) Sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the commissioner. NYSDEC may require at its discretion, a letter of explanation of how, when and where KMSI Marine Terminal analyzes fuels for sulfur, heating value and specific gravity.

Note that KMSI Marine Terminal does not sell or offer for sale any fuels.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

**Condition 31: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC



OPERATIONS

Monitoring Description:

Any gasoline sold or supplied to a retailer or wholesale purchaser-consumer, shall have a Reid Vapor pressure (RVP) no greater than 9.0 pounds per square inch (psi), during the period of May 1st through September 15th of each year. Sampling and testing will be done according to a protocol approved by the Department.

The reference test method will be an acceptable method to the Commissioner, but ASTM Method D323-99a is the recommended method.

KMSI Marine Terminal does not sell or offer for sale any fuels.

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 Method D323-99a  
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2010.  
Subsequent reports are due every 12 calendar month(s).

**Condition 32: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 225-3.4 (a)**

**Item 32.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

The owner or operator of a refinery, terminal, or bulk plant from which gasoline, subject to 6 NYCRR Part 225-3, 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 6 NYCRR Part 225-3.



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 requirements of 6 NYCRR Part 225-3; and
  - ii. is in compliance with all applicable State and Federal regulations which apply during the time period (s) and location in which the gasoline is intended to be dispensed to motor vehicles.

Records of the Reid vapor pressure of gasoline distributed from the facility must be maintained for two (2) years from the date of delivery.

Monitoring Frequency: CONTINUOUS  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 6 calendar month(s).

**Condition 33: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 225-3.4 (b)**

**Item 33.1:**  
The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

The following records shall be provided with gasoline which is distributed from this facility:

- (1) A copy of the certification produced for paragraph (a)(3) of 6 NYCRR Part 225-3.4.
- (2) Documentation of the maximum RVP of the gasoline if the gasoline was subject to section 225-3.3 of this Subpart.
- (3) Designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
- (4) Documentation of the shipment quantity and the shipment date of the gasoline being distributed.

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



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 1/30/2010.

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

**Condition 34: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 225-3.4 (c)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each retailer or wholesale purchaser-consumer shall maintain records on each delivery of gasoline. These records shall include the following information:

- (1) A copy of the certification that demonstrates the gasoline conforms with all applicable RVP and oxygen content requirements of 6 NYCRR Part 225-3.
- (2) Documentation of the maximum RVP of the gasoline if the gasoline was subject to 6 NYCRR Part 225-3.3.
- (3) Designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
- (4) Documentation of the shipment quantity and the shipment date of the gasoline being distributed.

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 1/30/2010.

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

**Condition 35: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 225-3.4 (d)**

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility is required to maintain records in one or more of the following subdivisions; 6 NYCRR Part 225-3.4(a), (b) or (c). The records must be made available to the commissioner or his or her representative, for inspection during normal business hours, at the location from which the gasoline was delivered, sold, or dispensed. The facility must furnish copies of these records to the commissioner or his or her representative upon request. Facility shall maintain all records and documentation required to be made or maintained in accordance with 6 NYCRR Part 225-3.4, including any calculations performed, for at least two years from date of delivery.

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 1/30/2010.

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

**Condition 1-7: Compliance Certification**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 229.1 (b) (1) (i)**

**Item 1-7.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00063

Emission Source: TK63C

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00064

Emission Source: TK64C

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 1-7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any petroleum liquid fixed roof tank with a capacity of 40,000 gallons or more, located at facilities in the New York City metropolitan area, which

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



emits volatile organic compounds must have demonstrated compliance with the requirements of the Part by October 1, 1982.

As a control requirements for petroleum fixed roof tanks, no person may store petroleum liquid in a fixed 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-8: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

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

**Item 1-8.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS	Emission Point: 00063
Process: GSL	Emission Source: TK63C
Emission Unit: 2-TANKS	Emission Point: 00064
Process: GSL	Emission Source: TK64C
Regulated Contaminant(s):	
CAS No: 0NY998-00-0	VOC

**Item 1-8.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirement for storage vessels with a fixed roof in combination with an internal floating roof:

Storage vessels with a fixed roof in combination with an internal floating roof must meet the following requirements of 40 CFR 60.112b in order to comply with the NESHAP:

- 1. The internal floating roof shall rest or float on the liquid surface at all times, except during initial fill and those intervals when the storage vessel is completely



emptied or subsequently emptied and refilled.

2. Each internal floating roof shall be equipped with a seal meeting the requirements of 40 CFR 60.112b(a)(1)(ii).
3. Each opening in a noncontact internal floating roof except for automatic bleeder vents and the rim space vents is to provide a projection below the surface.
4. 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).

Reference Test Method: Visual

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-9: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

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

**Item 1-9.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS	Emission Point: 00063
Process: GSL	Emission Source: TK63C

Emission Unit: 2-TANKS	Emission Point: 00064
Process: GSL	Emission Source: TK64C

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

**Item 1-9.2:**

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, the tanks 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-freed for other purposes.



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 7/30/2012.

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

**Condition 36: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 229.3 (f) (2)**

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-RACKS Process: RGS	Emission Point: LOADA Emission Source: BER01
Emission Unit: 1-RACKS Process: RGS	Emission Point: LOADA Emission Source: BER03
Emission Unit: 1-RACKS Process: RGS	Emission Point: LOADA Emission Source: BER06
Emission Unit: 1-RACKS Process: RGS	Emission Point: LOADA Emission Source: BER1A
Emission Unit: 1-RACKS Process: RGS	Emission Point: LOADA Emission Source: VPORS
Emission Unit: 1-RACKS Process: RGS	Emission Point: LOADA Emission Source: VRU0A
Emission Unit: 1-RACKS Process: RGS	Emission Point: LOADA Emission Source: VRU0B
Regulated Contaminant(s): CAS No: 0NY998-00-0	VOC

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The marine vapor recovery unit is regulated by 40 CFR 63 Subpart Y. The MACT portion of this regulation requires that the vapor recovery units meet 97% recovery efficiency as stated in 40 CFR 63.562(b)(2):

MACT standard shall reduce captured HAP emission from marine tank vessel loading operations by 97 weight



percent.

KMSI Marine Terminal has chosen a vapor recovery unit that has a carbon adsorption/absorption system. As per the stack test in 2002, the Vapor Recovery Unit (Emission Controls VPORS, VRU0A & VRU0B) at Berths # 1, 1A, 3 & 6 at Emission Point LOADA is operating at less than 10 mg/l under worst case conditions. Any problems with the unit will be documented and fixed immediately to ensure that it operates at no higher than this maximum level.

At the marine tank vessel loading/unloading, the facility is required to be equipped with and operate a gasoline vapor recovery system or other control system (Emission Controls VPORS, VRU0A & VRU0B) at Berth's 1, 1A, 3, 6 and 8 of the loading dock at Emission Point LOADA, which must not return the vapors to any tank equipped with a floating roof tank, and must reduce the captured gasoline vapors (VOC emissions) during loading and unloading of marine vessels (ships or barges) by a minimum of 97% of the total VOC emissions to the outdoor atmosphere. In the past, the facility has demonstrated 10 mg/l VOC emission. The vapor recovery unit must capture gasoline vapors during loading and unloading of gasoline, and must condense, absorb, adsorb or combust the gasoline vapors so 97 % by weight of the captured VOC emissions from the loading or unloading of gasoline are reduced. In the past, the facility has demonstrated 10 mg/l VOC emission.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 37: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.3 (f) (2)**

**Item 37.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(f)(2) Requires vapor control of 90% for marine vessel loading facilities of more than 15,000 gallons of gasoline per day. As per the stack tests for both vapor recovery units (VRUs) in 2002, the Vapor Recovery Units (VRUs) are

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



operating at greater than 99% (at 97% as per compliance with 40 CFR 63-Y562(b)(2)). Therefore, the total VOC emissions to the outdoor atmosphere are reduced by 97 percent by weight as a result of the vapor control systems.

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 1/30/2010.

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

**Condition 38: Testing and monitoring requirements**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.4 (a)**

**Item 38.1:**

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.

**Condition 39: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.4 (a)**

**Item 39.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of a vapor collection and control system must follow notification requirements, protocol requirements and test procedures of 6 NYCRR Part 202 for testing and monitoring to determine compliance with the emission limits and control requirements required. Depending upon conditions at a test site, one of the following test methods from Appendix A of 40 CFR part 60 (see table 1, section 200.9) 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 25A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.

(4) Methods not listed above must be approved in advance by the department's representative and the United States Environmental Protection Agency.

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2010.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-10: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.5**

**Item 1-10.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 1-10.2:**

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 (5) years:

1. Capacities of petroleum liquid storage tanks subject to section 229.3(a) or (b) of this Part in gallons;
2. Average daily gasoline throughput per day for gasoline bulk plants subject to section 229.3(c) of this Part, in gallons;
3. Average daily gasoline throughput for gasoline loading terminals subject to section 229.3(d) of this Part, in gallons per year. The average daily throughput is calculated by dividing the annual throughput by the number of workdays during the 12-month period which begins January 1st and ends on December 31st. ;and

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



4. Capacities of volatile organic liquid storage tanks,  
subject to section 229.3(e) 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 7/30/2012.

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

**Condition 1-11: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.5 (a)**

**Item 1-11.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00063

Emission Source: TK63C

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00064

Emission Source: TK64C

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 1-11.2:**

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 records of capacities in gallons of petroleum liquid storage tanks subject to section 229.3(a) or 229.3(b) of this part, at the facility for a period of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

**Condition 40: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.5 (e)**

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 008006-61-9      GASOLINE

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Daily gasoline throughput for marine vessel loading facilities. Records must be maintained at the facility for a period of five (5) years.

Monitoring Frequency: DAILY

Averaging Method: 24-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-12: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 60.110b, NSPS Subpart Kb**

**Item 1-12.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-TANKS      Emission Point: 00063  
Process: GSL      Emission Source: TK63C

Emission Unit: 2-TANKS      Emission Point: 00064  
Process: GSL      Emission Source: TK64C

**Item 1-12.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NSPS for petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC is only applicable to Tanks #63 & 64. All of the remaining sixteen (16) storage tanks are less than 40,000 gallons in capacity or were constructed and began operation on or before 1972, which is before the applicability date of 7/23/1984 for 40 CFR 60 Subpart Kb. These sixteen (16) storage tanks are Tanks # 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 & 62. 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 Subpart Kb.



The facility is to visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL.

If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel. The facility is to record and retain repair records for Tanks #63 & 64 for at least three (3) years. Also, the facility is to retain accessible tank dimensions for Tanks #63 & 64 for the life of the tank. Finally, the facility is to maintain product storage records for Tanks #63 & 64 for at least three (3) years.

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2012.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-13: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 60.112b(a), NSPS Subpart Kb**

**Item 1-13.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS	Emission Point: 00063
Process: GSL	Emission Source: TK63C
Emission Unit: 2-TANKS	Emission Point: 00064
Process: GSL	Emission Source: TK64C

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

**Item 1-13.2:**

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 subject to Part 229 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 every 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.

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: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-14: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 60.113b, NSPS Subpart Kb**

**Item 1-14.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS	Emission Point: 00063
Process: GSL	Emission Source: TK63C
Emission Unit: 2-TANKS	Emission Point: 00064
Process: GSL	Emission Source: TK64C

**Item 1-14.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility is to record and retain annual visual inspection results and repairs of the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel. The facility is to record and retain repair records for Tanks #63 & 64 for at least three (3) years. Also, the facility is to retain accessible tank dimensions for Tanks #63 & 64 for the life of the tank. Finally, the facility is to maintain product storage records for Tanks #63 & 64 for at least three (3) years.

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2012.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-15: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 60.113b(a)(2), NSPS Subpart**

**Kb**

**Item 1-15.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS	Emission Point: 00063
Process: GSL	Emission Source: TK63C

Emission Unit: 2-TANKS	Emission Point: 00064
Process: GSL	Emission Source: TK64C

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

**Item 1-15.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For vessels equipped with a liquid-mounted or a mechanical shoe primary seal, the owner or operator shall visually inspect the internal floating roof and the primary seal (or the secondary seal if one exists) through manholes and roof hatches on the fixed roof at least once every twelve (12) months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days.

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 7/30/2012.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-16: Compliance Certification**

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 60.113b(a)(4), NSPS Subpart**

**Kb**

**Item 1-16.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00063

Emission Source: TK63C

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00064

Emission Source: TK64C

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 1-16.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall visually inspect the internal floating roof, the primary seal. The secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each the storage vessel is emptied and degassed. If the internal floating roof has defects, either seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10% open area, the owner or operator shall repair the items as necessary so that none of these conditions exist before refilling the storage vessel with VOL. In no event shall inspections conducted in accordance with this provision occur at intervals greater than ten (10) years in the case of vessels conducting the annual visual inspections as specified in 40 CFR 60.113b(a)(2) and at intervals of no greater than five (5) years in the case of vessels equipped with double seals that do not choose to perform the annual visual inspection option.

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 7/30/2012.

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

**Condition 1-17: Compliance Certification**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



**Applicable Federal Requirement:40CFR 60.113b(a)(5), NSPS Subpart**

**Kb**

**Item 1-17.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS                      Emission Point: 00063  
Process: GSL                                      Emission Source: TK63C

Emission Unit: 2-TANKS                      Emission Point: 00064  
Process: GSL                                      Emission Source: TK64C

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

**Item 1-17.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-18: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 60.115b(a), NSPS Subpart Kb**

**Item 1-18.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS                      Emission Point: 00063  
Process: GSL                                      Emission Source: TK63C

Emission Unit: 2-TANKS                      Emission Point: 00064  
Process: GSL                                      Emission Source: TK64C

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

**Item 1-18.2:**

Compliance Certification shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep a record of each inspection performed to monitor the condition of the internal floating roof. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

After each inspection that finds holes or tears in the seal or seal fabric, defects in the internal floating roof, or other control equipment defects, a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel, the nature of the defects, and the type and date of each repair made.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-19: Compliance Certification**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 60.116b, NSPS Subpart Kb**

**Item 1-19.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-TANKS  
Process: GSL

Emission Point: 00063  
Emission Source: TK63C

Emission Unit: 2-TANKS  
Process: GSL

Emission Point: 00064  
Emission Source: TK64C

**Item 1-19.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall maintain the following readily accessible records, for applicable storage vessels:

- records showing the dimension of the storage vessel
- an analysis showing the capacity of the storage vessel.

- a record of the Volatile Organic Liquid (VOL) stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period.



According to 40 CFR 60, NSPS Subpart Kb, maximum true vapor pressure is defined as follows:

Maximum true vapor pressure means the equilibrium partial pressure exerted by the volatile organic compounds (as defined in 40 CFR 51.100) in the stored VOL at the temperature equal to the highest calendar-month average of the VOL storage temperature for VOL's stored above or below the ambient temperature or at the local maximum monthly average temperature as reported by the National Weather Service for VOL's stored at the ambient temperature, as determined:

- (1) In accordance with methods described in American Petroleum institute Bulletin 2517, Evaporation Loss From External Floating Roof Tanks, (incorporated by reference—see §60.17); or
- (2) As obtained from standard reference texts; or
- (3) As determined by ASTM D2879–83, 96, or 97 (incorporated by reference—see §60.17);
- (4) Any other method approved by the Administrator

Available data on the storage temperature may be used to determine the maximum true vapor pressure as determined below:

- (1) For vessels operated above or below ambient temperatures, the maximum true vapor pressure is calculated based upon the highest expected calendar-month average of the storage temperature. For vessels operated at ambient temperatures, the maximum true vapor pressure is calculated based upon the maximum local monthly average ambient temperature as reported by the National Weather Service.
- (2) For crude oil or refined petroleum products the vapor pressure may be obtained by the following:
  - (i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar- month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference--see Sec. 60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



(ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.

(3) For other liquids, the vapor pressure:

(i) May be obtained from standard reference texts, or

(ii) Determined by ASTM D2879-83, 96, or 97 (incorporated by reference--see Sec. 60.17); or

(iii) Measured by an appropriate method approved by the Administrator; or

(iv) Calculated by an appropriate method approved by the Administrator.

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 7/30/2012.

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

**Condition 1-20: Compliance Certification**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 60.116b, NSPS Subpart Kb**

**Item 1-20.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00063

Emission Source: TK63C

Emission Unit: 2-TANKS

Process: GSL

Emission Point: 00064

Emission Source: TK64C

**Item 1-20.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility is to retain accessible tank dimensions for the life of the tank. The facility is to maintain product storage records for at least three (3) years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



The initial report is due 7/30/2012.  
Subsequent reports are due every 12 calendar month(s).

**Condition 1-21: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.423, Subpart R**

**Item 1-21.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-TANKS                      Emission Point: 00063  
Process: GSL                                      Emission Source: TK63C

Emission Unit: 2-TANKS                      Emission Point: 00064  
Process: GSL                                      Emission Source: TK64C

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

**Item 1-21.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§ 63.423      Standards: Storage vessels.

(a) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall equip each gasoline storage vessel with a design capacity greater than or equal to 75 m<sup>3</sup> according to the requirements in §60.112b(a) (1) through (4) of this chapter, except for the requirements in §§60.112b(a)(1)(iv) through (ix) and 60.112b(a)(2)(ii) of this chapter.

(b) Each owner or operator shall equip each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m<sup>3</sup> according to the requirements in §60.112b(a)(2)(ii) of this chapter if such storage vessel does not currently meet the requirements in paragraph (a) of this section.

(c) Each gasoline storage vessel at existing bulk gasoline terminals and pipeline breakout stations shall be in compliance with the requirements in paragraphs (a) and (b) of this section as expeditiously as practicable, but no later than December 15, 1997. At new bulk gasoline terminals and pipeline breakout stations, compliance shall be achieved upon startup.



Storage vessels with a fixed roof in combination with an internal floating roof must meet the following requirements of 40 CFR 60.112b in order to comply with the NESHAP:

1. The internal floating roof shall rest or float on the liquid surface at all times, except during initial fill and those intervals when the storage vessel is completely emptied or subsequently emptied and refilled.
2. Each internal floating roof shall be equipped with a seal meeting the requirements of 40 CFR 60.112b(a)(1)(ii)
3. Each opening in a noncontact internal floating roof except for automatic bleeder vents and the rim space vents is to provide a projection below the surface.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 41: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 63.424, Subpart R**

**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§ 63.424 Standards: Equipment leaks.

(a) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall perform a monthly leak inspection of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.

(b) A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.



(c) Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (d) of this section.

(d) Delay of repair of leaking equipment will be allowed upon a demonstration to the Administrator that repair within 15 days is not feasible. The owner or operator shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.

(e) Initial compliance with the requirements in paragraphs (a) through (d) of this section shall be achieved by existing sources as expeditiously as practicable, but no later than December 15, 1997. For new sources, initial compliance shall be achieved upon startup.

(f) As an alternative to compliance with the provisions in paragraphs (a) through (d) of this section, owners or operators may implement an instrument leak monitoring program that has been demonstrated to the Administrator as at least equivalent.

(g) Owners and operators shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

- (1) Minimize gasoline spills;
- (2) Clean up spills as expeditiously as practicable;
- (3) Cover all open gasoline containers with a gasketed seal when not in use;
- (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 42: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 63.427(c), Subpart R**

**Item 42.1:**

**New York State Department of Environmental Conservation**

**Permit ID: 2-6405-00073/00060**

**Facility DEC ID: 2640500073**



The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§ 63.427 Continuous monitoring.

(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.

Manufacturer Name/Model Number: Continuous Emission Monitoring System

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-22: Compliance Certification**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.428, Subpart R**

**Item 1-22.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-TANKS                      Emission Point: 00063  
Process: GSL                                      Emission Source: TK63C

Emission Unit: 2-TANKS                      Emission Point: 00064  
Process: GSL                                      Emission Source: TK64C

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 1-22.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following records must be maintained on site to



comply with 40 CFR 63 Subpart R:

1. Records of all tank inspections, defects found, and measures taken to correct the defects, as required by 40 CFR 60.115b. These records must be maintained for five years.
2. A log book of the leak detection and repair program.

The following reports must be submitted to meet the requirements of 40 CFR 63 Subpart R:

1. An Initial Notification was due on December 16, 1996, or within 1 year from the date when the affected source became subject to Subpart R, whichever is later.
2. A Notice of Compliance Status must be submitted within 60 days of the completion of the required performance test. The report must contain all information specified in 40 CFR 63.9(h) and 40 CFR 63.428(f).
3. Semiannual Reports containing all information required by 40 CFR 63.428(g) must be submitted.

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 7/30/2012.

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

**Condition 43: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.429, Subpart R**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40CFR 63.429, Subpart R: Delegation of authority:

- (a) In delegating implementation and enforcement authority to a State under section 112(1) of the Act, the authority contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.



(b) The authority conferred in 40 CFR 63.426-R and 40 CFR 63.427-Y(a)(5) will not be delegated to any State.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 44: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.566, Subpart Y**

**Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR 63-Y.566 - NESHAP - Marine Tank Vessel Loading - Construction & Reconstruction:

(a) The owner or operator of an affected source shall fulfill all requirements for construction or reconstruction of a source in §63.5 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and construction or reconstruction requirements in this section.

(b)(1) Application for approval of construction or reconstruction. The provisions of this paragraph and §63.5(d)(1)(ii) and (iii), (2), (3), and (4) of subpart A implement section 112(i)(1) of the Act.

(2) General application requirements. An owner or operator who is subject to the requirements of §63.5(b)(3) of subpart A shall submit to the Administrator an application for approval of 623 the construction of a new source, the reconstruction of a source, or the reconstruction of a source not subject to the emissions standards in §63.562 such that the source becomes an affected source. The application shall be submitted as soon as practicable before the construction or reconstruction is planned to commence. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of §63.567(b)(3). The owner or operator may submit the application for approval well in



advance of the date construction or reconstruction is planned to commence in order to ensure a timely review by the Administrator and that the planned commencement date will not be delayed.

(c) Approval of construction or reconstruction based on prior State preconstruction review. The owner or operator shall submit to the Administrator the request for approval of construction or reconstruction under this paragraph and §63.5(f)(1) of subpart A of this part no later than the application deadline specified in paragraph (b)(2) of this section. The owner or operator shall include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in §63.5(e) of subpart A of this part. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 45: Emission Point Definition By Emission Unit Effective between the dates of 07/01/2009 and 06/30/2014

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 45.1(From Mod 1):

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

Emission Unit: 1--BOIL

Emission Point: 00023

Height (ft.): 60

Diameter (in.): 24

NYTMN (km.): 4488.751

NYTME (km.): 564.059

Building: BOILER HSE

Emission Point: 00025

Height (ft.): 60

Diameter (in.): 37

NYTMN (km.): 4488.715

NYTME (km.): 564.036

Building: BOILER HSE

Item 45.2(From Mod 1):

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

Emission Unit: 1-RACKS

Emission Point: LOADA

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Height (ft.): 16                      Diameter (in.): 37  
NYTMN (km.): 4488.39              NYTME (km.): 563.841      Building: LOADING AR

Emission Point:    LOADB  
Height (ft.): 16                      Diameter (in.): 12  
NYTMN (km.): 4488.365              NYTME (km.): 563.83      Building: LOADING AR

**Item 45.3(From Mod 1):**

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

Emission Unit:    1-TANKS

Emission Point:    EP048  
Height (ft.): 36                      Diameter (in.): 37  
NYTMN (km.): 4488.469              NYTME (km.): 564.158      Building: TANK FARM

**Item 45.4(From Mod 1):**

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

Emission Unit:    2-TANKS

Emission Point:    00063  
Height (ft.): 48                      Diameter (in.): 1740  
NYTMN (km.): 4488.469              NYTME (km.): 564.158      Building: TANK FARM

Emission Point:    00064  
Height (ft.): 48                      Diameter (in.): 1740  
NYTMN (km.): 4488.469              NYTME (km.): 564.158      Building: TANK FARM

**Item 45.5(From Mod 0):**

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

Emission Unit:    1-TANKS

Emission Point:    00044  
Height (ft.): 51                      Diameter (in.): 37  
NYTMN (km.): 4488.334              NYTME (km.): 563.944      Building: TANK FARM

Emission Point:    00045  
Height (ft.): 51                      Diameter (in.): 1440  
NYTMN (km.): 4488.268              NYTME (km.): 564.042      Building: TANK FARM

Emission Point:    00049  
Height (ft.): 49                      Diameter (in.): 1440  
NYTMN (km.): 4488.37              NYTME (km.): 564.03      Building: TANK FARM

Emission Point:    00050  
Height (ft.): 45                      Diameter (in.): 1404  
NYTMN (km.): 4488.442              NYTME (km.): 563.997      Building: TANK FARM

Emission Point:    00051  
Height (ft.): 45                      Diameter (in.): 1404

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



NYTMN (km.): 4488.475    NYTME (km.): 564.064    Building: TANK FARM

Emission Point: 00052  
Height (ft.): 45                      Diameter (in.): 1404  
NYTMN (km.): 4488.405    NYTME (km.): 564.101    Building: TANK FARM

Emission Point: 00053  
Height (ft.): 51                      Diameter (in.): 1200  
NYTMN (km.): 4488.326    NYTME (km.): 564.17    Building: TANK FARM

Emission Point: 00054  
Height (ft.): 50                      Diameter (in.): 960  
NYTMN (km.): 4488.368    NYTME (km.): 564.258    Building: TANK FARM

Emission Point: 00055  
Height (ft.): 51                      Diameter (in.): 1440  
NYTMN (km.): 4488.439    NYTME (km.): 564.169    Building: TANK FARM

Emission Point: 00056  
Height (ft.): 51                      Diameter (in.): 1440  
NYTMN (km.): 4488.508    NYTME (km.): 564.136    Building: TANK FARM

Emission Point: 00057  
Height (ft.): 51                      Diameter (in.): 1440  
NYTMN (km.): 4488.542    NYTME (km.): 564.206    Building: TANK FARM

Emission Point: 00058  
Height (ft.): 48                      Diameter (in.): 1620  
NYTMN (km.): 4488.472    NYTME (km.): 564.239    Building: TANK FARM

Emission Point: 00059  
Height (ft.): 49                      Diameter (in.): 1620  
NYTMN (km.): 4488.407    NYTME (km.): 564.351    Building: TANK FARM

Emission Point: 00060  
Height (ft.): 50                      Diameter (in.): 720  
NYTMN (km.): 4488.504    NYTME (km.): 564.306    Building: TANK FARM

Emission Point: 00061  
Height (ft.): 48                      Diameter (in.): 960  
NYTMN (km.): 4488.57    NYTME (km.): 564.27    Building: TANK FARM

Emission Point: 00062  
Height (ft.): 48                      Diameter (in.): 960  
NYTMN (km.): 4488.607    NYTME (km.): 564.343    Building: TANK FARM

**Condition 46:    Process Definition By Emission Unit**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 46.1(From Mod 1):**



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

Emission Unit: 1--BOIL

Process: DIS

Source Classification Code: 1-02-005-02

Process Description:

Process DIS is the operation of each of the two 23.45 MM BTU/hr Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) in Emission Unit 1-BOIL, which operate on # 2 fuel oil (distillate oil). The two boilers are limited to 1,000,000 gallons of fuel usage each annually for a total throughput cap of 2,000,000 gallons per year. Emissions from each of the two boilers are exhausted through two separate identical stacks, identified as Emission Points 00023 & 00025 for Boilers BOL23 & BOL25; respectively.

Emission Source/Control: BOL23 - Combustion

Design Capacity: 23.45 million Btu per hour

Emission Source/Control: BOL25 - Combustion

Design Capacity: 23.45 million Btu per hour

**Item 46.2(From Mod 1):**

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

Emission Unit: 1-RACKS

Process: RDS

Source Classification Code: 4-06-002-51

Process Description:

Process RDS in Emission Unit 1-RACKS is the is the loading of marine vessels (ships or barges) with liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through Emission Point LOAD B.

Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6, 8. Note that only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.

Emission Point LOAD B represents emissions from products not requiring or receiving vapor recovery. LOAD B products are potentially loaded at Berth's 1, 1A, 3, 6 and 8.

Emission Unit 1-RACKS is separated into two processes, RGS and RDS. RDS represents the transfer of liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through Emission Point LOAD B.



Emission Source/Control: 0000B - Process

Emission Source/Control: BER01 - Process

Emission Source/Control: BER03 - Process

Emission Source/Control: BER06 - Process

Emission Source/Control: BER08 - Process

Emission Source/Control: BER1A - Process

**Item 46.3(From Mod 1):**

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

Emission Unit: 1-RACKS

Process: RGS

Source Classification Code: 4-06-002-32

Process Description:

Process RGS in Emission Unit 1-RACKS is the loading of marine vessels (ships or barges) with liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through Emission Point LOAD A. Vapors are collected and are sent to the two vapor reduction units, the "A" unit and the "B" unit (Emission Control VPORS), which are equipped with shared piping to handle the VOC vapors from the controlled loading areas (LOAD A).

Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6, 8. Note that only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.

Emission Point LOAD A represents emissions from products requiring and receiving vapor recovery. LOAD A products are potentially loaded at Berth's 1, 1A, 3 and 6.

Emission Unit 1-RACKS is separated into two processes, RGS and RDS. RGS represents the transfer of liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through Emission Point LOAD A.

The vapor recovery system for process RGS utilizes two identical carbon adsorption systems, VRU-A and VRU-B (Emission Controls VRU0A & VRU0B; respectively), for VOC



emission reduction. The two vapor recovery units VRU-A and VRU-B may be utilized alternatively or simultaneously depending upon vessel loading demands. Vessel loading will cease immediately if loading demands exceed the availability and or capability of VRU-A and or VRU-B. Since the two vapor recovery units share piping, they are combined as (Emission Control VPORS).

Emission Source/Control: VPORS - Control  
Control Type: VAPOR RECOVERY SYSTEM (VAPOR ADSORPTION/ABSORPTION UNIT)

Emission Source/Control: VRU0A - Control  
Control Type: VAPOR RECOVERY SYSTEM (VAPOR ADSORPTION/ABSORPTION UNIT)

Emission Source/Control: VRU0B - Control  
Control Type: VAPOR RECOVERY SYSTEM (VAPOR ADSORPTION/ABSORPTION UNIT)

Emission Source/Control: 0000A - Process

Emission Source/Control: BER01 - Process

Emission Source/Control: BER03 - Process

Emission Source/Control: BER06 - Process

Emission Source/Control: BER1A - Process

**Item 46.4(From Mod 1):**

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

Emission Unit: 1-TANKS  
Process: GAS Source Classification Code: 4-04-001-60  
Process Description:

Process GAS is the storage of the sixteen (16) storage tanks in Emission Unit 1-TANKS. Each of the sixteen storage tanks having a capacity of greater than 40,000 gallons. The sixteen storage tanks are defined as Emission Sources TK044, TK045, TK049, TK050, TK051, TK052, TK053, TK054, TK055, TK056, TK057, TK058, TK059, TK060, TK061 & TK062. Each storage tank has a domed fixed roof with an internal floating roof system.

Emission Source/Control: TK44C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK45C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK49C - Control

**New York State Department of Environmental Conservation**

**Permit ID: 2-6405-00073/00060**

**Facility DEC ID: 2640500073**



Control Type: FLOATING ROOF

Emission Source/Control: TK50C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK51C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK52C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK53C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK54C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK55C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK56C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK57C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK58C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK59C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK60C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK61C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK62C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK44P - Process  
Design Capacity: 4,257,553 gallons

Emission Source/Control: TK45P - Process  
Design Capacity: 4,255,190 gallons

Emission Source/Control: TK49P - Process  
Design Capacity: 2,072,239 gallons

Emission Source/Control: TK50P - Process  
Design Capacity: 3,357,687 gallons



Emission Source/Control: TK51P - Process  
Design Capacity: 3,360,677 gallons

Emission Source/Control: TK52P - Process  
Design Capacity: 3,573,261 gallons

Emission Source/Control: TK53P - Process  
Design Capacity: 2,799,393 gallons

Emission Source/Control: TK54P - Process  
Design Capacity: 1,911,000 gallons

Emission Source/Control: TK55P - Process  
Design Capacity: 4,239,015 gallons

Emission Source/Control: TK56P - Process  
Design Capacity: 4,226,358 gallons

Emission Source/Control: TK57P - Process  
Design Capacity: 4,266,663 gallons

Emission Source/Control: TK58P - Process  
Design Capacity: 5,016,725 gallons

Emission Source/Control: TK59P - Process  
Design Capacity: 5,022,424 gallons

Emission Source/Control: TK60P - Process  
Design Capacity: 987,000 gallons

Emission Source/Control: TK61P - Process  
Design Capacity: 1,757,210 gallons

Emission Source/Control: TK62P - Process  
Design Capacity: 1,757,210 gallons

**Item 46.5(From Mod 1):**

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

Emission Unit: 2-TANKS

Process: GSL

Source Classification Code: 4-04-001-60

Process Description:

Process GSL is the storage of two (2) new storage tanks in Emission Unit 2-TANKS. Each of the two storage tanks has a capacity of 5,922,000 gallons. The two storage tanks are identified as Emission Sources TK063 & TK064 and have corresponding Emission Points 00063 and 00064; respectively. Each storage tank has a dome, fixed roof with an internal floating roof system. These two tanks are located at TANK FARM, Building TANK FARM. The maximum throughput of each of these two tanks is 213,192,000

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



gallons per year. The maximum total throughput of Process  
GSL is 426,384,000 gallons per year.

Emission Controls TK63C & TK64C

Emission Source/Control: TK63C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK64C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK63P - Process  
Design Capacity: 5,922,000 gallons

Emission Source/Control: TK64P - Process  
Design Capacity: 5,922,000 gallons

**Item 46.6(From Mod 0):**

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

Emission Unit: 1-RACKS

Process: FG1

Source Classification Code: 4-04-001-51

Process Description:

Process FG1 in Emission Unit 1-RACKS consists of  
miscellaneous fugitive HAP and VOC emissions from valves,  
pumps, and flange leakage (Emission Sources/Control 0000A,  
0000B & VPORS). All emissions are at insignificant levels  
from Emission Points LOADA & LOADB.

Emission Source/Control: VPORS - Control  
Control Type: VAPOR RECOVERY SYSTEM (VAPOR  
ADSORPTION/ABSORPTION UNIT)

Emission Source/Control: 0000A - Process

Emission Source/Control: 0000B - Process

**Condition 1-23: Compliance Certification**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (f) (4)**

**Item 1-23.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1--BOIL

Emission Point: 00023

Process: DIS

Emission Source: BOL23

Regulated Contaminant(s):



CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 1-23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each of the two Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) in Emission Unit 1-BOIL operate on # 2 fuel oil (Process DIS) and each boiler is limited to a throughput cap of 1,000,000 gallons/year of distillate fuel.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 1,000,000 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 7/30/2012.

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

**Condition 47: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 227-1.3**

**Item 47.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1--BOIL

Emission Point: 00023

Process: DIS

Emission Source: BOL23

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§ 227-1.3 Opacity.

(a) No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

(b) Compliance with the opacity standard may be determined by:

(1) conducting observations in accordance with Reference Method 9;



(2) evaluating Continuous Opacity Monitoring System (COMS) records and reports; and/or

(3) considering any other credible evidence.

(c) Upon written application by a source owner, the commissioner may accept an equivalent opacity standard less stringent than the opacity standard of subdivision (a) of this section for a stationary combustion installation with a maximum operating heat input greater than 50 million Btu per hour, if such source owner can demonstrate through acceptable emission tests for such stationary combustion installation that it is in compliance with all applicable emission standards other than the opacity standard and that the source and any associated emission control equipment is operated and maintained in a manner acceptable to the commissioner. Any stationary combustion installation to be eligible for an equivalent opacity standard must have applied Best Available Control Technology (BACT) as determined by the commissioner. Any equivalent opacity standard granted by the commissioner shall be submitted to the USEPA for approval as a SIP revision. The owner or operator of a source for which an equivalent opacity standard has been accepted shall not cause or allow emissions to exceed the equivalent opacity.

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 48: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)**

**Item 48.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1--BOIL  
Process: DIS

Emission Point: 00023  
Emission Source: BOL23

**Item 48.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.



The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: DAILY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 1-24: Compliance Certification**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 201-6.5 (f) (4)**

**Item 1-24.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1--BOIL                      Emission Point: 00025  
Process: DIS                                      Emission Source: BOL25

Regulated Contaminant(s):  
CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



**Item 1-24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each of the two Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) in Emission Unit 1-BOIL operate on # 2 fuel oil (Process DIS) and each boiler is limited to a throughput cap of 1,000,000 gallons/year of distillate fuel.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 1,000,000 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 7/30/2012.

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

**Condition 50: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 227-1.3**

**Item 50.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1--BOIL

Emission Point: 00025

Process: DIS

Emission Source: BOL25

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§ 227-1.3 Opacity.

(a) No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

(b) Compliance with the opacity standard may be determined by:

(1) conducting observations in accordance with Reference Method 9;



(2) evaluating Continuous Opacity Monitoring System (COMS) records and reports; and/or

(3) considering any other credible evidence.

(c) Upon written application by a source owner, the commissioner may accept an equivalent opacity standard less stringent than the opacity standard of subdivision (a) of this section for a stationary combustion installation with a maximum operating heat input greater than 50 million Btu per hour, if such source owner can demonstrate through acceptable emission tests for such stationary combustion installation that it is in compliance with all applicable emission standards other than the opacity standard and that the source and any associated emission control equipment is operated and maintained in a manner acceptable to the commissioner. Any stationary combustion installation to be eligible for an equivalent opacity standard must have applied Best Available Control Technology (BACT) as determined by the commissioner. Any equivalent opacity standard granted by the commissioner shall be submitted to the USEPA for approval as a SIP revision. The owner or operator of a source for which an equivalent opacity standard has been accepted shall not cause or allow emissions to exceed the equivalent opacity.

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 51: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)**

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1--BOIL  
Process: DIS

Emission Point: 00025  
Emission Source: BOL25

**Item 51.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require



the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: DAILY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2010.  
Subsequent reports are due every 12 calendar month(s).

**Condition 53: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 229.1 (b) (2) (v)**

**Item 53.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



CAS No: 0NY998-00-0 VOC

**Item 53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Marine vessel loading facilities requirements - NYC  
Metropolitan Area:

Any marine vessel loading facility which loads petroleum liquids to a marine delivery vessel at a gasoline loading terminal must meet the requirements of the compliance schedule in subdivision (g) of 6 NYCRR 229-1 and the control requirements of 6 NYCRR 229.3(f).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 54: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.1 (b) (2) (v)**

**Item 54.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 008006-61-9 GASOLINE

**Item 54.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Facilities loading more than 15000 gallons of gasoline per day must be equipped with and operate a vapor control system which reduces the total VOC emissions to the outdoor atmosphere by 90 percent by weight.

Parameter Monitored: VOC

Upper Permit Limit: 90.0 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 55: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**



**Applicable Federal Requirement:6 NYCRR 229.1 (g) (3)**

**Item 55.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

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

**Item 55.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of marine vessel loading facilities or petroleum and VOC storage and transfer facilities subject to this requirement must be in compliance with this part or reduce its daily throughput below the applicability criteria by November 15, 1994.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 56: Part 63 General Provisions requirements  
Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.560(c), Subpart Y**

**Item 56.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 56.2:**

Owners or operators of affected sources subject to 40CFR63 Subpart Y must also comply with the requirements of Subpart A of Part 63, according to the applicability of Subpart A to such sources, as identified in Table 1 of Subpart Y. Subpart A is the General Provisions for the NESHAP for Source Categories regulations. The General Provisions contain requirements for performance testing, monitoring, notification, recordkeeping, reporting, and control devices that may apply to the source.

**Condition 57: Compliance Certification  
Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562, Subpart Y**

**Item 57.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS



Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following procedures shall be used to determine compliance with the emissions limits under 63.562(b)(1), (c)(2) and (d)1:

Vent stream by-pass requirements for the terminal's vapor collection system: In accordance with 63.562(b)(1)(i), (c)(2)(i), each valve in the terminal's vapor collection system that would route displaced vapors to the atmosphere either directly or indirectly, shall be secured closed during marine tank vessel loading operations either by using a car-seal or a lock-and-key type configurations, or the by-pass line from the valve shall be equipped with a flow indicator, except for those valves used for pressure/vacuum relief, analyzers, instrumentation devices, sampling and venting for maintenance. Marine tank vessel loading operations shall not be performed with open by-pass lines.

Repairs shall be made to valves, car-seals, or closure mechanisms no later than 15 days after a change in the position of the valve or a break in the car-seal or closure mechanism is detected or no later than prior to the next marine tank vessel loading operation, whichever is later.

Ship-to-shore compatibility of vapor collection systems: Following the date on which the initial performance test is completed, marine tank vessel loading operations must be performed only if the marine tank vessel's vapor collection equipment is compatible to the terminal's vapor collection system; marine tank vessel loading operations must be performed only when the marine tank vessel's vapor collection equipment is connected to the terminal's vapor collection system, as required in 63.562(b) in 63.562(b)(1)(ii), (c)(2)(ii) and (d)(1)(ii).

Pressure/vacuum settings for the marine tank vessel's vapor collection equipment: During the initial performance test required in paragraph (b)(1) of this section, the owner or operator of an affected source shall demonstrate compliance with operating pressure requirements of 33 CFR 154.814 using the procedures in

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



63.565(b).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 58: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(a), Subpart Y**

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The emissions limitations in paragraphs (b), (c), and (d) of this section apply during marine tank vessel loading operations. Standards for notification, operation of marine vapor collection system, ship to shore compatibility, vapor tightness of marine vessels, control efficiency, proper operation & monitoring during normal operations as well as startup, shutdown & malfunction apply during marine tank vessel loading operations.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 59: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(b)(1)(i), Subpart Y**

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP



**Item 59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Vapor Collection System for Existing Major Sources:

The emission limitations in these paragraphs apply during marine tank vessel loading operations. The owner or operator of an existing source with emissions of 10 and 25 tons per year or more shall:

- (i) Vapor collection system of the terminal - equip each terminal with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 60: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(b)(1)(ii), Subpart Y**

**Item 60.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 60.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Vapor Collection System for Existing Major Sources:

The emission limitations in these paragraphs apply during marine tank vessel loading operations. The owner or operator of an existing source with emissions of 10 and 25 tons per year or more shall:



(ii) Ship to Shore - limit marine tank vessel loading operations to those vessels that are equipped with vapor collection equipment that is compatible with the terminal's vapor collection system, except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

Monitoring Frequency: CONTINUOUS  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 61: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(b)(1)(iii), Subpart Y**

**Item 61.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC  
CAS No: 0NY100-00-0 HAP

**Item 61.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Vapor Collection System for Existing Major Sources:

The emission limitations in these paragraphs apply during marine tank vessel loading operations. The owner or operator of an existing source with emissions of 10 and 25 tons per year or more shall:

(iii) Vapor tightness of marine vessels - limit marine tank vessel loading operations to those vessels that are vapor tight and to those vessels that are connected to the vapor collection system except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

Monitoring Frequency: CONTINUOUS  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 62: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(b)(2), Subpart Y**

**Item 62.1:**  
The Compliance Certification activity will be performed for:



Emission Unit: 1-RACKS

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC  
CAS No: 0NY100-00-0 HAP

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40CFR 63.562(b)(2), Subpart Y - MACT Standards for Existing Sources with Emissions of 10 or 25 tons:

The owner or operator of an existing sources with emissions of 10 and 25 tons shall reduce captured HAP emissions from marine tank vessel loading operations by 97 weight-per-cent, as described using methods in §63.565 (d) and (l).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 63: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(b)(5), Subpart Y**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC  
CAS No: 0NY100-00-0 HAP

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR 63.562(b)(5) - Prevention of Carbon Absorber Emissions During Regeneration:

The owner or operator of a source subject to paragraph (b)(2), (3), or (4) shall prevent HAP emissions from escaping to the atmosphere from the regeneration of the carbon bed when using a carbon adsorber to control HAP emissions from marine tank vessel loading operations.



Monitoring Frequency: CONTINUOUS  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 64: Compliance Certification**  
Effective between the dates of 07/01/2009 and 06/30/2014

**Applicable Federal Requirement: 40CFR 63.562(b)(6), Subpart Y**

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR 63.562(b)(6), Subpart Y - NESHAP - Marine Tank  
Vessel Loading - Standards:

Maintenance allowance for loading berths. The owner or operator of a source subject to paragraph (b)(2), (3) or (4), may apply for approval to the Administrator for a maintenance allowance for loading berths based on a percent of annual throughput or annual marine tank vessel loading operation time for commodities not exempted in 40 CFR 63.560(d), Subpart Y. The owner or operator shall maintain records for all maintenance performed on the air pollution control equipment. The Administrator will consider the following in approving the maintenance allowance:

- (i) The owner or operator expects to be in violation of the emissions standards due to maintenance;
- (ii) Due to conditions beyond the reasonable control of the owner or operator, compliance with the emissions standards during maintenance would result in unreasonable economic hardship;
- (iii) The economic hardship cannot be justified by the resulting air quality benefit;
- (iv) The owner or operator has given due consideration to curtailing marine vessel loading operations during maintenance;



(v) During the maintenance allowance, the owner or operator will endeavor to reduce emissions from other loading berths that are controlled as well as from the loading berth the owner or operator is seeking the maintenance allowance; and

(vi) During the maintenance allowance, the owner or operator will monitor and report emissions from the loading berth to which the maintenance allowance applies.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 65: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(e)(1), Subpart Y**

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(e) Operation and maintenance requirements for air pollution control equipment and monitoring equipment for affected sources. At all times, including periods of startup, shutdown, and malfunction, owners or operators of affected sources shall operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

(1) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards by evaluating an owner or operator's conformance with operation and maintenance requirements.



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 66: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(e)(2), Subpart Y**

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 66.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(2) The owner or operator of an affected source shall develop and implement a written operation and maintenance plan that describes in detail a program of corrective action for varying (i.e., exceeding baseline parameters) air pollution control equipment and monitoring equipment, based on monitoring requirements in §63.564, used to comply with these emissions standards. The plan shall also identify all routine or otherwise predictable continuous monitoring system (thermocouples, pressure transducers, continuous emissions monitors (CEMS), etc.) variances.

(i) The plan shall specify procedures (preventive maintenance) to be followed to ensure that pollution control equipment and monitoring equipment functions properly and variances of the control equipment and monitoring equipment are minimal.

(ii) The plan shall identify all operating parameters to be monitored and recorded for the air pollution control device as indicators of proper operation and shall establish the frequency at which the parameters will be monitored (see §63.564).

(iii) Owners or operators of affected sources shall incorporate a standardized inspection schedule for each component of the control device used to comply with the emissions standards in §63.562(b), (c), and (d). To satisfy the requirements of this paragraph, the owner or



operator may use the inspection schedule recommended by the vendor of the control system or any other technical publication regarding the operation of the control system.

(iv) Owners or operators shall develop and implement a continuous monitoring system (CMS) quality control program. The owner or operator shall develop and submit to the Administrator for approval upon request a site-specific performance evaluation test plan for the CMS performance evaluation required in §63.8(e) of subpart A of this part. Each quality control program shall include, at a minimum, a written protocol that describes procedures for initial and any subsequent calibration of the CMS; determination and adjustment of the calibration drift of the CMS; preventive maintenance of the CMS, including spare parts inventory; data recording, calculations, and reporting; and accuracy audit procedures, including sampling and analysis methods. The owner or operation shall maintain records of the procedures that are part of the quality control program developed and implemented for CMS.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 67: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(e)(4), Subpart Y**

**Item 67.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 67.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(4) If the operation and maintenance plan fails to address or inadequately addresses a variance event at the time the plan was initially developed, the owner or operator shall revise the operation and maintenance plan within 45 working days after such an event occurs. The revised plan shall include procedures for operating and

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



maintaining the air pollution control equipment or monitoring equipment during similar variance events and a program for corrective action for such events.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 68: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(e)(5), Subpart Y**

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(5) The operation and maintenance plan shall be developed by the source's compliance date. The owner or operator shall keep the written operation and maintenance plan on record to be made available for inspection, upon request, by the Administrator for the life of the source. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection upon request by the Administrator for a period of 5 years after each revision to the plan.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 69: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.562(e)(6), Subpart Y**

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

CAS No: 0NY100-00-0    HAP

**Item 69.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(6) To satisfy the requirements of the operation and maintenance plan, the owner or operator may use the source's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) plan, or other existing plans provided the alternative plans meet the requirements of this section and are made available for inspection when requested by the Administrator.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 70:    Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.563, Subpart Y**

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY100-00-0    HAP

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR 63.563, Subpart Y - NESHAP - Marine Tank Vessel Loading - Compliance and Performance Testing:

The emissions limitations apply during marine tank vessel loading operations. Compliance and performance testing for the required emission limits for marine MACT requirements. All testing will be performed in compliance with this regulation by September 21, 1998.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**Condition 71: Compliance Certification**  
Effective between the dates of 07/01/2009 and 06/30/2014

**Applicable Federal Requirement: 40CFR 63.563(a), Subpart Y**

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

40 CFR 63.563(a)(4): Vapor-tightness requirements of the marine vessel:

The owner or operator of an affected source shall use the procedures in paragraph (a)(4)(i), (ii), (iii) or (iv) of this section to insure that marine tank vessels are vapor tight, as required in 63.562(b)(1)(iii), (c)(2)(iii) and (d)(1)(iii).

40 CFR 63.563(a)(4) Vapor-tightness requirements of the marine vessel. The owner or operator of an affected source shall use the procedures in paragraph (a)(4)(i), (ii), (iii), or (iv) of this section to ensure that marine tank vessels are vapor tight, as required in §63.562(b)(1)(iii), (c)(2)(iii), and (d)(1)(iii).

(i) Pressure test documentation for determining vapor tightness of the marine vessel:

The owner or operator of a marine tank vessel, who loads commodities containing HAP not determined to be exempt under §63.560(d) at an affected source, shall provide a copy of the vapor-tightness pressure test documentation described in §63.567(i) for each marine tank vessel prior to loading. The date of the test listed in the documentation must be within the preceding 12 months, and the test must be conducted in accordance with the procedures in §63.565(c)(1). Following the date on which the initial performance test is completed, the affected source must check vapor-tightness pressure test documentation for marine tank vessels loaded at positive pressure.



(ii) Leak test documentation for determining vapor tightness of the marine vessel:

If no documentation of the vapor tightness pressure test as described in paragraph (a)(4)(i) of this section is available, the owner or operator of a marine tank vessel, who loads commodities containing HAP not determined to be exempt under §63.560(d) at an affected source, shall provide the leak test documentation described in §63.567(i) for each marine tank vessel prior to loading. The date of the test listed in the documentation must be within the preceding 12 months, and the test must be conducted in accordance with the procedures in §63.565(c)(2). If the marine tank vessel has failed its most recent vapor-tightness leak test at that terminal, the owner or operator of the non-vapor-tight marine tank vessel shall provide documentation that the leaks detected during the previous vapor-tightness test have been repaired and documented with a successful vapor-tightness leak test described in §63.565(c)(2) conducted during loading. If the owner or operator of the marine tank vessel can document that repair is technically infeasible without cleaning and gas freeing or dry-docking the vessel, the owner or operator of the affected source may load the marine tank vessel. Following the date on which the initial performance test is completed, an affected source must check the vapor-tightness leak test documentation for marine tank vessels loaded at positive pressure.

(iii) Leak test performed during loading using Method 21 for determining vapor tightness of the marine vessel:

If no documentation of vapor tightness as described in paragraphs (a)(4)(i) or (ii) of this section is available, the owner or operator of a marine tank vessel, who loads commodities containing HAP not determined to be exempt under §63.560(d) at an affected source, shall perform a leak test of the marine tank vessel during marine tank vessel loading operation using the procedures described in §63.565(c)(2).

(A) If no leak is detected, the owner or operator of a marine tank vessel shall complete the documentation described in §63.567(i) prior to departure of the vessel.

(B) If a leak is detected, the owner or operator of the marine tank vessel shall document the vapor-tightness failure for the marine tank vessel prior to departure of the vessel. The leaking component shall be repaired prior



to the next marine tank vessel loading operation at a controlled terminal unless the repair is technically infeasible without cleaning and gas freeing or dry-docking the vessel. If the owner or operator of the vessel provides documentation that repair of such equipment is technically infeasible without cleaning and gas freeing or dry-docking the vessel, the equipment responsible for the leak will be excluded from future Method 21 tests until repairs are effected. A copy of this documentation shall be maintained by the owner or operator of the affected source. Repair of the equipment responsible for the leak shall occur the next time the vessel is cleaned and gas freed or dry-docked. For repairs that are technically feasible without dry-docking the vessel, the owner or operator of the affected source shall not load the vessel again unless the marine tank vessel owner or operator can document that the equipment responsible for the leak has been repaired.

(iv) Negative pressure loading:

The owner or operator of an affected source shall ensure that a marine tank vessel is loaded with the product tank below atmospheric pressure (i.e., at negative gauge pressure). The pressure shall be measured between the facility's vapor connection and its manual isolation valve, and the measured pressure must be below atmospheric pressure. Following the date on which the initial performance test is completed, marine tank vessel loading operations for nonvapor-tight vessels must be performed below atmospheric pressure (i.e., at negative gauge pressure) in the product tank.

Since KMSI Marine Terminal does not own or operate the marine tank vessels (ships or barges), but uses them, New York State Department of Environmental Conservation requires KMSI Marine Terminal's verification that the vapor-tightness test procedures for the marine tank vessel are successfully demonstrated (to be in compliance) during each loading cycle when testing a vessel for vapor tightness to comply with the marine vessel vapor-tightness requirements of §63.563(a)(4)(i).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 72: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.563(b), Subpart Y**



**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 72.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) Compliance determination for affected sources. The following procedures shall be used to determine compliance with the emissions limits under §63.562(b), (c), and (d):

(1) Initial performance test: An initial performance test shall be conducted using the procedures listed in §63.7 of subpart A of this part according to the applicability in Table 1 of §63.560, the procedures listed in this section, and the test methods listed in §63.565. The initial performance test shall be conducted within 180 days after the compliance date for the specific affected source. During this performance test, sources subject to MACT standards under §63.562(b)(2), (3), (4), and (5) and (d)(2) shall determine the reduction of HAP emissions, as VOC, for all combustion or recovery devices other than flares. Sources subject to RACT standards under §63.562(c)(3), (4), and (5) and (d)(2) shall determine the reduction of VOC emissions for all combustion or recovery devices other than flares.

(3) Operation and maintenance inspections: If the 3-hour or 3-cycle block average operating parameters in paragraphs (b)(4) through (9) of this section, outside the acceptable operating ranges, are measured and recorded, i.e., variances of the pollution control device or monitoring equipment, the owner or operator of the affected source shall perform an unscheduled inspection of the control device and monitoring equipment and review of the parameter monitoring data. The owner or operator of the affected source shall perform an inspection and review when total parameter variance time for the control device is greater than 10 percent of the operating time for marine tank vessel loading operations on a 30-day, rolling-average basis. The inspection and review shall be conducted within 24 hours after passing the allowable variance time of 10 percent. The inspection checklist from the requirements of §63.562(e)(2)(iii) and the monitoring



data from requirements in §§63.562(e)(2)(ii) and 63.564 should be used to identify any maintenance problems that may be associated with the variance. The unscheduled inspection should encompass all components of the control device and monitoring equipment that can be inspected while in operation. If any maintenance problem is identified during the inspection, the owner or operator of the affected source must take corrective action (e.g., adjustments to operating controls, etc.) as soon as practicable. If no immediate maintenance problems are identified from the inspection performed while the equipment is operating, a complete inspection in accordance with §63.562(e)(2) must be conducted prior to the next marine tank vessel loading operation and corrective action (e.g., replacement of defective parts) must be taken as soon as practicable for any maintenance problem identified during the complete inspection.

(6) Carbon adsorber: During the initial performance test required in paragraph (b)(1) of this section, the owner or operator shall determine the efficiency of and/or the outlet VOC concentration from the recovery device used to comply with §63.562(b)(2), (3), (4), and (5), (c)(3), (4), and (5), and (d)(2) using the test methods in §63.565(d). The owner or operator shall comply with paragraph (b)(6)(i) as well as either paragraph (b)(6)(ii) or (iii) of this section. The owner or operator of affected sources complying with paragraph (b)(6)(ii)(B) or (C) of this section shall conduct a performance test once each year.

(i) Compliance determination for carbon bed regeneration. Desorbed hydrocarbons from regeneration of the off-line carbon bed shall be vented to the on-line carbon bed.

(ii) Baseline parameters for required percent recovery efficiency. The owner or operator shall comply with paragraph (b)(6)(ii)(A), (B), or (C) of this section.

(A) Outlet VOC concentration limit for required percent recovery efficiency. The owner or operator shall establish as an operating parameter the baseline VOC concentration using the procedures described in §63.565(g). Following the date on which the initial performance test is completed, the facility shall be operated with a block average outlet VOC concentration as determined in §63.564(g)(1) no more than 20 percent above the baseline VOC concentration.

(B) Carbon adsorbers with vacuum regeneration. The owner



or operator shall establish as operating parameters the baseline regeneration time for the vacuum stage of carbon bed regeneration using the procedures described in §63.565(h) and shall establish the baseline vacuum pressure (negative gauge pressure) using the procedures described in §63.565(i). Following the date on which the initial performance test is completed, the facility shall be operated with block average regeneration time of the vacuum stage of carbon bed regeneration as determined in §63.564(g)(2) no more than 20 percent below the baseline regeneration time, and the facility shall be operated with the block average vacuum pressure (negative gauge pressure) as determined in §63.564(g)(2) no more than 20 percent above the baseline vacuum pressure.

(C) Carbon adsorbers with steam regeneration. The owner or operator shall establish as operating parameters the baseline total stream flow using the procedures described in §63.565(j) and a baseline carbon bed temperature after cooling of the bed using the procedures in §63.565(f)(2). Following the date on which the initial performance test is completed, the facility shall be operated with the total stream flow, as determined in §63.564(g)(3), no more than 20 percent below the baseline stream flow and with the carbon bed temperature (measured within 15 minutes after completion of the cooling cycle), as determined in §63.564(g)(3), no more than 10 percent or 5.6 °C (10 °F) above the baseline carbon bed temperature, whichever is less stringent.

(iii) Outlet VOC concentration of 1,000 ppmv for gasoline loading. Following the date on which the initial performance test is completed, the facility shall operate with a block average outlet VOC concentration as determined in §63.564(g)(1) of no more than 1,200 ppmv VOC.

(10) Emission estimation. The owner or operator of a source subject to §63.562(b)(2), (3), and (4) shall use the emission estimation procedures in §63.565(l) to calculate HAP emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 3-CYCLE BLOCK AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 73: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 63.563(b), Subpart Y**



**Item 73.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 73.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(b) Compliance determination for affected sources. The following procedures shall be used to determine compliance with the emissions limits under §63.562(b):

(1) Initial performance test: An initial performance test shall be conducted using the procedures listed in §63.7 of subpart A of this part according to the applicability in Table 1 of §63.560, the procedures listed in this section, and the test methods listed in §63.565. The initial performance test shall be conducted within 180 days after the compliance date for the specific affected source. During this performance test, sources subject to MACT standards under §63.562(b)(2), (3), (4), and (5) and (d)(2) shall determine the reduction of HAP emissions, as VOC, for all combustion or recovery devices other than flares. Sources subject to RACT standards under §63.562(c)(3), (4), and (5) and (d)(2) shall determine the reduction of VOC emissions for all combustion or recovery devices other than flares.

(3) Operation and maintenance inspections: If the 3-hour or 3-cycle block average operating parameters in paragraphs (b)(4) through (9) of this section, outside the acceptable operating ranges, are measured and recorded, i.e., variances of the pollution control device or monitoring equipment, the owner or operator of the affected source shall perform an unscheduled inspection of the control device and monitoring equipment and review of the parameter monitoring data. The owner or operator of the affected source shall perform an inspection and review when total parameter variance time for the control device is greater than 10 percent of the operating time for marine tank vessel loading operations on a 30-day, rolling-average basis. The inspection and review shall be conducted within 24 hours after passing the allowable variance time of 10 percent. The inspection checklist from the requirements of §63.562(e)(2)(iii) and the monitoring



data from requirements in §§63.562(e)(2)(ii) and 63.564 should be used to identify any maintenance problems that may be associated with the variance. The unscheduled inspection should encompass all components of the control device and monitoring equipment that can be inspected while in operation. If any maintenance problem is identified during the inspection, the owner or operator of the affected source must take corrective action (e.g., adjustments to operating controls, etc.) as soon as practicable. If no immediate maintenance problems are identified from the inspection performed while the equipment is operating, a complete inspection in accordance with §63.562(e)(2) must be conducted prior to the next marine tank vessel loading operation and corrective action (e.g., replacement of defective parts) must be taken as soon as practicable for any maintenance problem identified during the complete inspection.

(6) Carbon adsorber: During the initial performance test required in paragraph (b)(1) of this section, the owner or operator shall determine the efficiency of and/or the outlet VOC concentration from the recovery device used to comply with §63.562(b)(2), (3), (4), and (5), (c)(3), (4), and (5), and (d)(2) using the test methods in §63.565(d). The owner or operator shall comply with paragraph (b)(6)(i) as well as either paragraph (b)(6)(ii) or (iii) of this section. The owner or operator of affected sources complying with paragraph (b)(6)(ii)(B) or (C) of this section shall conduct a performance test once each year.

(i) Compliance determination for carbon bed regeneration. Desorbed hydrocarbons from regeneration of the off-line carbon bed shall be vented to the on-line carbon bed.

(ii) Baseline parameters for required percent recovery efficiency. The owner or operator shall comply with paragraph (b)(6)(ii)(A), (B), or (C) of this section.

(A) Outlet VOC concentration limit for required percent recovery efficiency. The owner or operator shall establish as an operating parameter the baseline VOC concentration using the procedures described in §63.565(g). Following the date on which the initial performance test is completed, the facility shall be operated with a block average outlet VOC concentration as determined in §63.564(g)(1) no more than 20 percent above the baseline VOC concentration.

(B) Carbon adsorbers with vacuum regeneration. The owner



or operator shall establish as operating parameters the baseline regeneration time for the vacuum stage of carbon bed regeneration using the procedures described in §63.565(h) and shall establish the baseline vacuum pressure (negative gauge pressure) using the procedures described in §63.565(i). Following the date on which the initial performance test is completed, the facility shall be operated with block average regeneration time of the vacuum stage of carbon bed regeneration as determined in §63.564(g)(2) no more than 20 percent below the baseline regeneration time, and the facility shall be operated with the block average vacuum pressure (negative gauge pressure) as determined in §63.564(g)(2) no more than 20 percent above the baseline vacuum pressure.

(C) Carbon adsorbers with steam regeneration. The owner or operator shall establish as operating parameters the baseline total stream flow using the procedures described in §63.565(j) and a baseline carbon bed temperature after cooling of the bed using the procedures in §63.565(f)(2). Following the date on which the initial performance test is completed, the facility shall be operated with the total stream flow, as determined in §63.564(g)(3), no more than 20 percent below the baseline stream flow and with the carbon bed temperature (measured within 15 minutes after completion of the cooling cycle), as determined in §63.564(g)(3), no more than 10 percent or 5.6 °C (10 °F) above the baseline carbon bed temperature, whichever is less stringent.

(iii) Outlet VOC concentration of 1,000 ppmv for gasoline loading. Following the date on which the initial performance test is completed, the facility shall operate with a block average outlet VOC concentration as determined in §63.564(g)(1) of no more than 1,200 ppmv VOC.

(10) Emission estimation. The owner or operator of a source subject to §63.562(b)(2), (3), and (4) shall use the emission estimation procedures in §63.565(l) to calculate HAP emissions.

Parameter Monitored: VOC

Upper Permit Limit: 1200 parts per million (by volume)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 3-CYCLE BLOCK AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 74: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**



**Applicable Federal Requirement: 40CFR 63.563(c), Subpart Y**

**Item 74.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 74.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(c) Leak detection and repair for vapor collection systems and control devices. The following procedures are required for all sources subject to §63.562(b), (c), or (d).

(1) Annual leak detection and repair for vapor collection systems and control devices. The owner or operator of an affected source shall inspect and monitor all ductwork and piping and connections to vapor collection systems and control devices once each calendar year using Method 21.

(2) Ongoing leak detection and repair for vapor collection systems and control devices. If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method, all ductwork and piping and connections to vapor collection systems and control devices shall be inspected to the extent necessary to positively identify the potential leak and any potential leaks shall be monitored within 5 days by Method 21. Each detection of a leak shall be recorded, and the leak shall be tagged until repaired.

(3) When a leak is detected, a first effort to repair the vapor collection system and control device shall be made within 15 days or prior to the next marine tank vessel loading operation, whichever is later.

Reference Test Method: METHOD 21

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 75: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**



**Applicable Federal Requirement:40CFR 63.564, Subpart Y**

**Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 75.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring requirements for the vapor collection system and marine vessels. All monitoring will be conducted in compliance with this regulation by the compliance date of September 21, 1998.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 76: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.564(a)(1), Subpart Y**

**Item 76.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP  
CAS No: 0NY998-00-0 VOC

**Item 76.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

§ 63.564 Monitoring requirements.

(a)(1) The owner or operator of an affected source shall comply with the monitoring requirements in §63.8 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and the monitoring requirements in this section.



Process Material: GASOLINE  
Parameter Monitored: VOC  
Lower Permit Limit: 97 percent by weight  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION  
Averaging Method: 3-HOUR BLOCK AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2009.  
Subsequent reports are due every 3 calendar month(s).

**Condition 77: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.564(a)(2), Subpart Y**

**Item 77.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC  
CAS No: 0NY100-00-0 HAP

**Item 77.2:**  
Compliance Certification shall include the following monitoring:

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

Monitoring Description:  
§ 63.564 Monitoring requirements.

(a)(2) Each owner or operator of an affected source shall monitor the parameters specified in this section. All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the source are obtained. For monitoring equipment purchased from a vendor, verification of the operational status of the monitoring equipment shall include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors. Also, the averaging method is "None."

Process Material: GASOLINE  
Parameter Monitored: VOC  
Lower Permit Limit: 97 percent by weight

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



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 1/30/2010.  
Subsequent reports are due every 6 calendar month(s).

**Condition 78: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.564(a)(3), Subpart Y**

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

CAS No: 0NY998-00-0 VOC

**Item 78.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

§ 63.564 Monitoring requirements.

(a)(3) Except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments, all continuous parametric monitoring systems (CPMS) and CEMS shall be in continuous operation while marine tank vessel loading operations are occurring and shall meet minimum frequency of operation requirements. Sources monitoring by use of CEMS and CPMS shall complete a minimum of one cycle of operation (sampling, analyzing, and/or data recording) for each successive 15-minute period.

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors. Also, the averaging method is "None."

Process Material: GASOLINE

Parameter Monitored: VOC

Lower Permit Limit: 97 percent by weight

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING  
DESCRIPTION



Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2009.  
Subsequent reports are due every 3 calendar month(s).

**Condition 79: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 63.564(a)(4), Subpart Y**

**Item 79.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 79.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator of a CMS installed in accordance with these emissions standards shall comply with the performance specifications either in performance specification (PS) 8 in 40 CFR part 60, appendix B for CEMS or in § 63.7(c)(6) of subpart A of this part for CPMS. This facility (Kinder Morgan Staten Island Marine Terminal) has chosen to comply with the performance specification (PS) 8, 8A & 2 in 40 CFR Part 60.

Kinder Morgan Staten Island Marine Terminal shall implement a QA/QC protocol for the operation of the vapor recovery unit (VRU) continuous emission monitor (CEM) / data acquisition system (DAS). The CEMS located at the VRU shall undergo calibration checks on a daily basis using the high level (70-80 % span) gas and on a quarterly basis. The quarterly checks will follow 40 CFR 60 Appendix B; PST 2, 8 and 8A for total hydrocarbon analyzers. A Relative Accuracy Test Audit (RATA) will be conducted annually in accordance with 40 CFR 60 Appendix B; PST 2, 8 and 8A procedures as the Reference Test Method.

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

All documents will be maintained on-site for a period of five (5) years and will be made available to NYS DEC upon

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



request.

Manufacturer Name/Model Number: Continuous Emission Monitor  
Parameter Monitored: VOC  
Lower Permit Limit: 97 percent by weight  
Reference Test Method: 40 CFR 60 App B; PST 2, 8 & 8A  
Monitoring Frequency: CONTINUOUS  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2009.  
Subsequent reports are due every 3 calendar month(s).

**Condition 80: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 63.564(a)(5), Subpart Y**

**Item 80.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

CAS No: 0NY998-00-0 VOC

**Item 80.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

§ 63.564 Monitoring requirements.

(a)(5) A CEMS is out of control when the measured values (i.e., daily calibrations, multipoint calibrations, and performance audits) exceed the limits specified in either PS 8 or in §63.8(c)(7) of subpart A of this part. The owner or operator of a CEMS that is out of control shall submit all information concerning out of control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in §63.567(e).

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Process Material: GASOLINE



Parameter Monitored: VOC  
Lower Permit Limit: 97 percent by weight  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-HOUR BLOCK AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2009.  
Subsequent reports are due every 3 calendar month(s).

**Condition 81: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 63.564(c), Subpart Y**

**Item 81.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):  
CAS No: 0NY998-00-0 VOC  
CAS No: 0NY100-00-0 HAP

**Item 81.2:**  
Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(c) Pressure/vacuum settings for the marine tank vessel's vapor collection equipment. Owners or operators of a source complying with 40 CFR 63Y.563(a)(3) shall measure continuously the operating pressure of the marine tank vessel during loading or each loading cycle.

For Non-Inerted Vessels:

Unit Hi Pressure Shutdown @ 17.00 inches of water column

Unit Low Pressure Shutdown @ - 13.00 inches of water column

Since KMSI Marine Terminal does not own or operate the marine tank vessels but uses them, New York State Department of Environmental Conservation requires KMSI Marine Terminal's verification that the pressure vacuum/settings for the marine tank vessel's (ship's or barge's) vapor collection equipment are continuously measured and are successfully demonstrated (in compliance) during loading or each loading cycle.

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Manufacturer Name/Model Number: Pressure/Vacuum Settings  
Parameter Monitored: PRESSURE  
Lower Permit Limit: - 13.00 inches of water  
Upper Permit Limit: 17.00 inches of water  
Monitoring Frequency: CONTINUOUS  
Averaging Method: RANGE-NOT TO FALL OUTSIDE OF STATED  
RANGE EXCEPT DURING STARTUP/SHUTDOWN  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2009.  
Subsequent reports are due every 3 calendar month(s).

**Condition 82: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.564(c), Subpart Y**

**Item 82.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 82.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(c) Pressure/vacuum settings for the marine tank vessel's vapor collection equipment. Owners or operators of a source complying with 40 CFR 63Y.563(a)(3) shall measure continuously the operating pressure of the marine tank vessel during loading or each loading cycle.

For Inerted Vessels:

Unit Hi Pressure Shutdown @ 17.00 inches of water column

Unit Low Pressure Shutdown @ 00.00 inches of water column

Since KMSI Marine Terminal does not own or operate the marine tank vessels but uses them, New York State Department of Environmental Conservation requires KMSI Marine Terminal's verification that the pressure vacuum/settings for the marine tank vessel's (ship's or barge's) vapor collection equipment are continuously

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



measured and are successfully demonstrated (in compliance) during loading or each loading cycle.

Manufacturer Name/Model Number: Pressure/Vacuum Settings

Parameter Monitored: PRESSURE

Lower Permit Limit: 0.00 inches of water

Upper Permit Limit: 17.00 inches of water

Monitoring Frequency: CONTINUOUS

Averaging Method: RANGE-NOT TO FALL OUTSIDE OF STATED

RANGE EXCEPT DURING STARTUP/SHUTDOWN

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2009.

Subsequent reports are due every 3 calendar month(s).

**Condition 83: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.564(g), Subpart Y**

**Item 83.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 83.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(g) Carbon adsorber. For sources complying with §63.563(b)(6), use of a carbon adsorber, the owner or operator shall comply with paragraph (g)(1) or (2) of this section.

Baseline outlet VOC concentration. The procedures in this paragraph shall be used to determine the outlet VOC concentration required in §63.563(b)(4), (6), (7), and (8) for combustion devices except flare, carbon adsorbers, condenser/refrigeration units, and absorbers, respectively, and to monitor the VOC concentration as required in §63.564(e), (g), (h), and (i). The owner or operator shall use the procedures outlined in Method 25A. For the baseline VOC concentration, the arithmetic average of the outlet VOC concentration from three test runs from paragraph (d) of this section shall be calculated for the control device. The VOC concentration shall be measured at



least every 15 minutes. Compliance testing of VOC CEMS shall be performed using any of the following Reference Test Methods in 40 CFR 60 Appendix B: Method 25A, B and PST 8, 8A and 2.

(1) Outlet VOC concentration. Monitor the VOC concentrations at the exhaust point of each carbon adsorber unit and record the output from the system. For sources monitoring the outlet VOC concentration established during the performance test, a data acquisition system shall record a concentration every 15 minutes and shall compute and record an average concentration each cycle (same time period or cycle as the performance test) and a 3-cycle block average concentration every third cycle. The owner or operator will install, calibrate, operate, and maintain a CEMS consistent with the requirements of PS 8 to measure the VOC concentration. The daily calibration requirements are required only on days when marine tank vessel loading operations occur.

(2) Carbon adsorbers with vacuum regeneration. Monitor and record the regeneration time for carbon bed regeneration and monitor and record continuously the vacuum pressure of the carbon bed regeneration cycle. The owner or operator will record the time when the carbon bed regeneration cycle begins and when the cycle ends for a single carbon bed and will calculate a 3-cycle block average every third cycle. The owner or operator shall install, calibrate, maintain, and operate a recording pressure measurement device (magnehelic gauge or equivalent device). A data acquisition system shall record and compute a 3-cycle (carbon bed regeneration cycle) block average vacuum pressure every third cycle. The owner or operator shall verify the accuracy of the pressure device once each calendar year with a reference pressure monitor (traceable to National Institute of Standards and Technology (NIST) standards or an independent pressure measurement device dedicated for this purpose). During accuracy checking, the probe of the reference device shall be at the same location as that of the pressure monitor being tested.

Process Material: GASOLINE  
Manufacturer Name/Model Number: Carbon adsorber  
Parameter Monitored: HAP  
Upper Permit Limit: 1000 parts per million (by volume)  
Reference Test Method: 40CFR 60 App B, PS 8  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-HOUR BLOCK AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.



The initial report is due 10/30/2009.  
Subsequent reports are due every 3 calendar month(s).

**Condition 84: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.564(j), Subpart Y**

**Item 84.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 84.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(j) Alternate monitoring procedures. Alternate procedures to those described in this section may be used upon application to, and approval by, the Administrator. The owner or operator shall comply with the procedures for use of an alternative monitoring method in §63.8(f).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2009.

Subsequent reports are due every 3 calendar month(s).

**Condition 85: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.565(a), Subpart Y**

**Item 85.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 85.2:**



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) Performance testing. The owner or operator of an affected source in §63.562 shall comply with the performance testing requirements in §63.7 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and the performance testing requirements in this section.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 86: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.565(b), Subpart Y**

**Item 86.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 86.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) Pressure/vacuum settings of marine tank vessel's vapor collection equipment. For the purpose of determining compliance with §63.563(a)(3), the following procedures shall be used:

(1) Calibrate and install a pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument) capable of measuring up to the maximum relief set pressure of the pressure-vacuum vents;

(2) Connect the pressure measurement device to a pressure tap in the terminal's vapor collection system, located as close as possible to the connection with the marine tank vessel; and

(3) During the performance test required in §63.563(b)(1), record the pressure every 5 minutes while a marine tank



vessel is being loaded and record the highest instantaneous pressure and vacuum that occurs during each loading cycle.

Since KMSI Marine Terminal does not own or operate the marine tank vessels (ships or barges) but uses them, New York State Department of Environmental Conservation requires KMSI Marine Terminal's verification that the pressure/vacuum settings for the marine tank vessel's (ship's or barge's) vapor collection equipment are continuously calibrated, measured, recorded and are successfully demonstrated (to be in compliance) during each loading cycle.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 87: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.565(d), Subpart Y**

**Item 87.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 87.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(d) Combustion (except flare) and recovery control device performance test procedures.

(1) All testing equipment shall be prepared and installed as specified in the appropriate test methods.

(2) All testing shall be performed during the last 20 percent of loading of a tank or compartment.

(3) All emission testing intervals shall consist of each 5 minute period during the performance test. For each 620 interval, the following shall be performed:

(i) Readings. The reading from each measurement instrument shall be recorded.

(ii) Sampling Sites. Method 1 or 1A of appendix A of part 60 of this chapter, as appropriate, shall be used for selection of sampling sites. Sampling sites shall be located at the inlet and outlet of the combustion device



or recovery device except for owners or operators complying with the 1,000 ppmv VOC emissions limit for gasoline vapors under §63.563(b)(6) or (7), where the sampling site shall be located at the outlet of the recovery device.

(iii) Volume exhausted. The volume exhausted shall be determined using Method 2, 2A, 2C, or 2D of appendix A of part 60 of this chapter, as appropriate.

(5) Recovery devices. The average VOC concentration in the vent upstream and downstream of the control device shall be determined using Method 25A of appendix A of part 60 of this chapter for recovery devices. The average VOC concentration shall correspond to the volume measurement by taking into account the sampling system response time.

(6) The VOC mass at the inlet and outlet of the combustion or recovery device during each testing interval shall be calculated as follows:

$$M_j = FKVsCVOC$$

Where:

$M_j$  = mass of VOC at the inlet and outlet of the combustion or recovery device during testing interval  $j$ , kilograms (kg).

$F = 10^{-6}$  = conversion factor, (cubic meters VOC/cubic meters air)(1/ppmv) (m<sup>3</sup> VOC/m<sup>3</sup> air)(1/ppmv).

$K$  = density, kilograms per cubic meter (kg/m<sup>3</sup> VOC), standard conditions, 20 °C and 760 mm Hg.

$V_s$  = volume of air-vapor mixture at the inlet and outlet of the combustion or recovery device, cubic meters (m<sup>3</sup>) at standard conditions, 20 °C and 760 mm Hg.

$CVOC$  = VOC concentration (as measured) at the inlet and outlet of the combustion or recovery device, ppmv, dry basis.

$s$  = standard conditions, 20 °C and 760 mm Hg.

(7) The VOC mass emission rates at the inlet and outlet of the recovery or combustion device shall be calculated as follows:

Where:

$E_i, E_o$  = mass flow rate of VOC at the inlet (i) and outlet (o) of the recovery or combustion device, kilogram per hour (kg/hr).

$M_{ij}, M_{oj}$  = mass of VOC at the inlet (i) or outlet (o) during testing interval  $j$ , kg.

$T$  = Total time of all testing intervals, hour.

$n$  = number of testing intervals.

(8) Where Method 25 or 25A is used to measure the percent reduction in VOC, the percent reduction across the combustion or recovery device shall be calculated as follows:



Where:

R=control efficiency of control device, percent.

E<sub>i</sub>=mass flow rate of VOC at the inlet to the combustion or recovery device as calculated under paragraph (c)(7) of this section, kg/hr.

E<sub>o</sub>=mass flow rate of VOC at the outlet of the combustion or recovery device, as calculated under paragraph (c)(7) of this section, kg/hr. 621

(9) Repeat the procedures in paragraph (d)(1) through (d)(8) of this section 3 times. The arithmetic average percent efficiency of the three runs shall determine the overall efficiency of the control device.

(10) Use of methods other than Method 25 or Method 25A shall be validated pursuant to Method 301 of appendix A of part 63 of this chapter.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 88: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.565(g), Subpart Y**

**Item 88.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 88.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(g) Baseline outlet VOC concentration. The procedures in this paragraph shall be used to determine the outlet VOC concentration required in §63.563(b)(4), (6), (7), and (8) for combustion devices except flare, carbon adsorbers, condenser/refrigeration units, and absorbers, respectively, and to monitor the VOC concentration as required in §63.564(e), (g), (h), and (i). The owner or operator shall use the procedures outlined in Method 25A. For the baseline VOC concentration, the arithmetic average of the outlet VOC concentration from three test runs from paragraph (d) of this section shall be calculated for the control device. The VOC concentration shall be measured at least every 15 minutes. Compliance testing of VOC CEMS

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



shall be performed using any of the following Reference Test Methods in 40 CFR 60 Appendix B: Method 25A, B and PST 8, 8A and 2.

Reference Test Method: See Monit Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 89: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.565(l), Subpart Y**

**Item 89.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

**Item 89.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(l) Emission estimation procedures. For sources with emissions less than 10 or 25 tons and sources with emissions of 10 or 25 tons, the owner or operator shall calculate an annual estimate of HAP emissions, excluding commodities exempted by §63.560(d), from marine tank vessel loading operations. Emission estimates and emission factors shall be based on test data, or if test data is not available, shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 90: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 90.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Process: RGS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 90.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This Condition applies to Emission Unit: 1-RACKS and  
Process: RGS.

The processes subject to this requirement 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 this Part are demonstrated to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 91: VOC compliance**

**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 91.1:**

This Condition applies to Emission Unit: 1-RACKS  
Process: RGS

**Item 91.2:**

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 92: Marine Vessel Loading**

**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:6 NYCRR 229.3 (f)**

**Item 92.1:**

This Condition applies to Emission Unit: 1-RACKS Emission Point: LOADA  
Process: RGS

**Item 92.2:**

Facilities loading 15000 gallons of gasoline or less per day must be equipped with and operate a vapor balance system or other control system which must have no open operating system to the atmosphere during transfer and must not return the vapors to any tank equipped with a floating roof tank.

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



**Condition 93: Compliance Certification**  
Effective between the dates of 07/01/2009 and 06/30/2014

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

**Item 93.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS                      Emission Point: LOADA  
Process: RGS                                      Emission Source: VPORS

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

**Item 93.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Kinder Morgan Staten Island Marine Terminal has chosen a vapor recovery unit that has a carbon adsorption/absorption system. As per the stack test in 2002, the Vapor Recovery Unit (VRU) is operating at less than 10 mg/l under worst case conditions. Any problems with the unit will be documented and fixed immediately to ensure that it operates at no higher than this maximum level.

The marine vapor recovery unit is regulated by 40 CFR 63 Subpart Y. The MACT portion of this regulation requires that the vapor recovery units meet 97% recovery efficiency as stated in 40 CFR 63.562(b)(2):

MACT standard shall reduce captured HAP emission from marine tank vessel loading operations by 97 weight percent.

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 0.67 pounds per 1,000 gallons of gasoline loaded or unloaded.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 94: Compliance Certification**  
Effective between the dates of 07/01/2009 and 06/30/2014



**Applicable Federal Requirement: 40CFR 63.564(g), Subpart Y**

**Item 94.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS                      Emission Point: LOADA  
Process: RGS                                      Emission Source: VRU0A

Regulated Contaminant(s):  
CAS No: 0NY998-00-0      VOC  
CAS No: 0NY100-00-0      HAP

**Item 94.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(g) Carbon adsorber. For sources complying with §63.563(b)(6), use of a carbon adsorber, the owner or operator shall comply with paragraph (g)(1) or (2) of this section. KMSI Marine Terminal has opted to comply with g(1) for Outlet VOC Concentration, as specified below.

KMSI Marine Terminal has two (2) carbon adsorber units, the "A" Unit and the "B" Unit. This condition is for the "A" Unit. The regulated contaminant is HAP.

The contaminant monitored by the CEMS unit is total VOC concentration and not individual or total HAPs. HAPs are speciated from total VOC's annually using AP-42 speciations.

The parameter monitored is VOC. The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Regulation 40 CFR 63.564(a), Subpart Y requires the facility to recover a minimum of 97 % of the vapors (VOC). Regulation 40 CFR 63.564(a), Subpart Y requires the facility to recover a minimum of 97 % of the vapors (VOC). The owner or operator shall establish as an operating parameter the baseline VOC concentration using the procedures described in 40 CFR 63.565(g). Following the date on which the initial performance test is completed, the facility shall be operated with a block average outlet VOC concentration as determined in 40 CFR 63.564(g)(1) no more than 20 percent above the baseline VOC concentration.

The initial performance test was conducted in 1999 and a

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



subsequent performance test was conducted in June 2002 as a means to establish a new baseline VOC concentration. During both the initial and subsequent performance test, the facility demonstrated greater than 99% recovery, which exceeded the requirement for 97% recovery. Following the performance test conducted in June 2002, US EPA mandated a baseline VOC concentration of 700 ppm.

The Reference Test Method is 40 CFR 60 Appendix B, PST 8, 8A and 2.

For the Monitoring Frequency, the facility records a VOC concentration at least once every 15 minutes and computes and records an average concentration each cycle and a 3-cycle block average concentration every third cycle. A cycle is defined as 60 minutes (same time period as the performance test), as established during the performance test conducted in June 2002.

(1) Outlet VOC concentration. Monitor the VOC concentrations at the exhaust point of each carbon adsorber unit and record the output from the system. For sources monitoring the outlet VOC concentration established during the performance test, a data acquisition system shall record a concentration every 15 minutes and shall compute and record an average concentration each cycle (same time period or cycle as the performance test) and a 3-cycle block average concentration every third cycle. The owner or operator will install, calibrate, operate, and maintain a CEMS consistent with the requirements of PS 8 to measure the VOC concentration. The daily calibration requirements are required only on days when marine tank vessel loading operations occur.

Process Material: GASOLINE  
Manufacturer Name/Model Number: Carbon adsorber  
Parameter Monitored: VOC  
Upper Permit Limit: 8,139 parts per million (by volume)  
Reference Test Method: App B; PST 8, 8A & 2  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-CYCLE BLOCK AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 6 calendar month(s).

**Condition 95: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement:40CFR 63.564(g), Subpart Y**



**Item 95.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS                      Emission Point: LOADA  
Process: RGS                                      Emission Source: VRU0B

Regulated Contaminant(s):  
CAS No: 0NY998-00-0      VOC  
CAS No: 0NY100-00-0      HAP

**Item 95.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(g) Carbon adsorber. For sources complying with §63.563(b)(6), use of a carbon adsorber, the owner or operator shall comply with paragraph (g)(1) or (2) of this section. KMSI Marine Terminal has opted to comply with g(1) for Outlet VOC Concentration, as specified below.

KMSI Marine Terminal has two (2) carbon adsorber units, the "A" Unit and the "B" Unit. This condition is for the "B" Unit. The regulated contaminant is HAP.

The contaminant monitored by the CEMS unit is total VOC concentration and not individual or total HAPs. HAPs are speciated from total VOC's annually using AP-42 speciations.

The parameter monitored is VOC. The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Regulation 40 CFR 63.564(a), Subpart Y requires the facility to recover a minimum of 97 % of the vapors (VOC). The owner or operator shall establish as an operating parameter the baseline VOC concentration using the procedures described in 40 CFR 63.565(g). Following the date on which the initial performance test is completed, the facility shall be operated with a block average outlet VOC concentration as determined in 40 CFR 63.564(g)(1) no more than 20 percent above the baseline VOC concentration.

The initial performance test was conducted in 1999 and a subsequent performance test was conducted in June 2002 as a means to establish a new baseline VOC concentration. During both the initial and subsequent performance test,

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



the facility demonstrated greater than 99% recovery, which exceeded the requirement for 97% recovery. Following the performance test conducted in June 2002, US EPA mandated a baseline VOC concentration of 700 ppm.

The Reference Test Method is 40 CFR 60 Appendix B, PST 8, 8A and 2.

For the Monitoring Frequency, the facility records a VOC concentration at least once every 15 minutes and computes and records an average concentration each cycle and a 3-cycle block average concentration every third cycle. A cycle is defined as 60 minutes (same time period as the performance test), as established during the performance test conducted in June 2002.

(1) Outlet VOC concentration. Monitor the VOC concentrations at the exhaust point of each carbon adsorber unit and record the output from the system. For sources monitoring the outlet VOC concentration established during the performance test, a data acquisition system shall record a concentration every 15 minutes and shall compute and record an average concentration each cycle (same time period or cycle as the performance test) and a 3-cycle block average concentration every third cycle. The owner or operator will install, calibrate, operate, and maintain a CEMS consistent with the requirements of PS 8 to measure the VOC concentration. The daily calibration requirements are required only on days when marine tank vessel loading operations occur.

Process Material: GASOLINE  
Manufacturer Name/Model Number: Carbon adsorber  
Parameter Monitored: VOC  
Upper Permit Limit: 5,154 parts per million (by volume)  
Reference Test Method: App B; PST 8, 8A & 2  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 3-CYCLE BLOCK AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2010.  
Subsequent reports are due every 6 calendar month(s).

**Condition 96: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 229.1 (b) (1) (i)**

**Item 96.1:**  
The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Emission Unit: 1-TANKS

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:

The owner or operator of any petroleum liquid fixed roof tank with a capacity of 40,000 gallons or more, located at facilities in the New York City metropolitan area, which emits volatile organic compounds must have demonstrated compliance with the requirements of the Part by October 1, 1982.

As a control requirements for petroleum fixed roof tanks, no person may store petroleum liquid in a fixed 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 97: Compliance Certification**

**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 97.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 97.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirement for storage vessels with a fixed roof in combination with an internal floating roof:



Storage vessels with a fixed roof in combination with an internal floating roof must meet the following requirements of 40 CFR 60.112b in order to comply with the NESHAP:

1. The internal floating roof shall rest or float on the liquid surface at all times, except during initial fill and those intervals when the storage vessel is completely emptied or subsequently emptied and refilled.
2. Each internal floating roof shall be equipped with a seal meeting the requirements of 40 CFR 60.112b(a)(1)(ii).
3. Each opening in a noncontact internal floating roof except for automatic bleeder vents and the rim space vents is to provide a projection below the surface.
4. 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).

Reference Test Method: Visual

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 98: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

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

**Item 98.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

**Item 98.2:**

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 subject to Part 229 unless:

1. the tank has been retrofitted with an internal floating roof or equivalent control; and

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



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 every 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.

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: UPON REQUEST BY REGULATORY AGENCY

**Condition 99: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 6 NYCRR 229.5 (a)**

**Item 99.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 99.2:**

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 records of capacities in gallons of petroleum liquid storage tanks subject to section 229.3(a) or 229.3(b) of this part, at the facility for a period of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.



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

**Condition 101: Compliance Certification**  
Effective between the dates of 07/01/2009 and 06/30/2014

**Applicable Federal Requirement: 40CFR 63.423, Subpart R**

**Item 101.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

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

**Item 101.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§ 63.423 Standards: Storage vessels.

(a) Each owner or operator of a bulk gasoline terminal or pipeline breakout station subject to the provisions of this subpart shall equip each gasoline storage vessel with a design capacity greater than or equal to 75 m<sup>3</sup> according to the requirements in §60.112b(a) (1) through (4) of this chapter, except for the requirements in §§60.112b(a)(1) (iv) through (ix) and 60.112b(a)(2)(ii) of this chapter.

(b) Each owner or operator shall equip each gasoline external floating roof storage vessel with a design capacity greater than or equal to 75 m<sup>3</sup> according to the requirements in §60.112b(a)(2)(ii) of this chapter if such storage vessel does not currently meet the requirements in paragraph (a) of this section.

(c) Each gasoline storage vessel at existing bulk gasoline terminals and pipeline breakout stations shall be in compliance with the requirements in paragraphs (a) and (b) of this section as expeditiously as practicable, but no later than December 15, 1997. At new bulk gasoline terminals and pipeline breakout stations, compliance shall be achieved upon startup.

Storage vessels with a fixed roof in combination with an internal floating roof must meet the following requirements of 40 CFR 60.112b in order to comply with the NESHAP:

1. The internal floating roof shall rest or float on the



liquid surface at all times, except during initial fill and those intervals when the storage vessel is completely emptied or subsequently emptied and refilled.

2. Each internal floating roof shall be equipped with a seal meeting the requirements of 40 CFR 60.112b(a)(1)(ii)

3. Each opening in a noncontact internal floating roof except for automatic bleeder vents and the rim space vents is to provide a projection below the surface.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 102: Compliance Certification**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable Federal Requirement: 40CFR 63.428, Subpart R**

**Item 102.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Regulated Contaminant(s):  
CAS No: 0NY100-00-0 HAP

**Item 102.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following records must be maintained on site to comply with 40 CFR 63 Subpart R:

1. Records of all tank inspections, defects found, and measures taken to correct the defects, as required by 40 CFR 60.115b. These records must be maintained for five years.

2. A log book of the leak detection and repair program.

The following reports must be submitted to meet the requirements of 40 CFR 63 Subpart R:

1. An Initial Notification was due on December 16, 1996, or within 1 year from the date when the affected source became subject to Subpart R, whichever is later.

**New York State Department of Environmental Conservation**

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



2. A Notice of Compliance Status must be submitted within 60 days of the completion of the required performance test. The report must contain all information specified in 40 CFR 63.9(h) and 40 CFR 63.428(f).

3. Semiannual Reports containing all information required by 40 CFR 63.428(g) must be submitted.

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 1/30/2010.

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

**Condition 1-25: Standards for VOCs.**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable Federal Requirement:40CFR 60.112b(a), NSPS Subpart Kb**

**Item 1-25.1:**

This Condition applies to:

Emission Unit: 2TANKS

Emission Point: 00064

Process: GSL

Emission Source: TK64C

**Item 1-25.1:**

This Condition applies to Emission Unit: 2-TANKS Emission Point: 00063

Process: GSL

Emission Source: TK63C

**Item 1-25.2.3:**

Petroleum liquids stored at vapor pressures of greater than or equal to 5.2 kPa and less than 76.6 kPa shall be stored in a vessel with a fixed roof in combination with an internal floating roof which meets the design criteria of section 40 CFR 60-Kb.112b.



**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 103: Contaminant List**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable State Requirement:ECL 19-0301**

**Item 103.1:**  
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE



CAS No: 008006-61-9  
Name: GASOLINE

CAS No: 0NY100-00-0  
Name: HAP

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0  
Name: VOC

**Condition 104: Unavoidable noncompliance and violations**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable State Requirement: 6 NYCRR 201-1.4**

**Item 104.1:**

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 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 superceded 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 105: Air pollution prohibited**  
**Effective between the dates of 07/01/2009 and 06/30/2014**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 105.1:**

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 1-26: Visible Emissions Limited**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 1-26.1:**

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.

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

**Condition 1-27: Compliance Demonstration**  
**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable State Requirement:6 NYCRR 227-2.4 (d)**

**Item 1-27.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1--BOIL  
Process: DIS

Emission Point: 00023  
Emission Source: BOL23

New York State Department of Environmental Conservation

Permit ID: 2-6405-00073/00060

Facility DEC ID: 2640500073



Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 1-27.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a small boiler, small combustion turbine, or small internal combustion engine must perform an annual tune-up of their equipment. This tune-up should be performed in accordance with the requirements of the DAR-5 guidance document. Records of each tune-up must be kept on-site for a minimum of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.

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

**Condition 1-28: Compliance Demonstration**

**Effective between the dates of 01/24/2012 and 06/30/2014**

**Applicable State Requirement:6 NYCRR 227-2.4 (d)**

**Item 1-28.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1--BOIL

Emission Point: 00025

Process: DIS

Emission Source: BOL25

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 1-28.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a small boiler, small combustion turbine, or small internal combustion engine must perform an annual tune-up of their equipment. This tune-up should be performed in accordance with the requirements of the DAR-5 guidance document. Records of each tune-up must be kept on-site for a minimum of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2012.



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

