



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-0101-00070/02002
Effective Date: 12/22/2008 Expiration Date: No expiration date

Permit Issued To: BUCKEYE TERMINALS LLC
9999 HAMILTON BLVD - TEK PARK 5
BREINIGSVILLE, PA 18031

Contact: MICHAEL J MAYO
 CIBRO PETROLEUM PRODUCTS INC
 301 NORMANSKILL ST PORT OF ALBANY
 ALBANY, NY 12202
 (518) 426-4433

Facility: BUCKEYE ALBANY TERMINAL LLC
 301 NORMANSKILL ST PORT OF ALBANY
 ALBANY, NY 12202

Contact: JASON L MENGEL
 BUCKEYE TERMINALS LLC
 9999 HAMILTON BLVD TEK PARK 5
 BREINIGSVILLE, PA 18031
 (610) 904-4000

Description:
The facility proposes to convert three existing #2 Fuel Oil tanks to store naphtha. The naphtha would be transported via barge to tanks and then loaded to railcars to transport to offsite facilities.

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: ANGELO A MARCUCCIO
 NYSDEC
 1130 N WESTCOTT RD
 SCHENECTADY, NY 12306-2014

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

Facility Level

Submission of application for permit modification or renewal-REGION 4
HEADQUARTERS



DEC GENERAL CONDITIONS
****** General Provisions ******
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: 6NYCRR 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 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 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 5: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: BUCKEYE TERMINALS LLC
9999 HAMILTON BLVD - TEK PARK 5
BREINIGSVILLE, PA 18031

Facility: BUCKEYE ALBANY TERMINAL LLC
301 NORMANSKILL ST|PORT OF ALBANY
ALBANY, NY 12202

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

Permit Effective Date: 12/22/2008
date.

Permit Expiration Date: No expiration
date.



LIST OF CONDITIONS

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Facility Level

Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 201-7: Facility Permissible Emissions
- 2 6NYCRR 202-1.2: Notification
- 3 6NYCRR 212: Compliance Demonstration
- 4 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 5 6NYCRR 225-1.8: Compliance Demonstration

Emission Unit Level

EU=1-COMBU

- *6 6NYCRR 201-7: Capping Monitoring Condition
- 7 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-COMBU,Proc=CFO

- 8 6NYCRR 227-1.3: Compliance Demonstration

EU=2-TANKS,Proc=TNK

- 9 6NYCRR 229.3(a): Compliance Demonstration
- 10 6NYCRR 229.3(e)(1): VOL fixed roof storage tank requirements
- 11 6NYCRR 229.5(d): Compliance Demonstration

EU=3-RACKS,EP=EPRF1,Proc=OUT

- *12 6NYCRR 201-7: Capping Monitoring Condition
- *13 6NYCRR 201-7: Capping Monitoring Condition

EU=3-RACKS,EP=EPRF1,Proc=OUT,ES=RAC1C

- *14 6NYCRR 201-7: Capping Monitoring Condition

EU=3-RACKS,EP=EPRF2,Proc=OUT

- *15 6NYCRR 201-7: Capping Monitoring Condition

EU=3-RACKS,EP=EPRF2,Proc=OUT,ES=RAC2C

- *16 6NYCRR 201-7: Capping Monitoring Condition

EU=3-RACKS,EP=EPRF2,Proc=OUT,ES=RACK2

- 17 40CFR 63.560(a)(3), Subpart Y: §63.560(a)(3) - Recordkeeping for existing sources less than 10 and 25 TPY HAPs
- 18 40CFR 63.565(l), Subpart Y: Emission estimation procedures



19 40CFR 63.567(j)(4), Subpart Y: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 20 ECL 19-0301: Contaminant List
- 21 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 22 6NYCRR 201-5: Emission Unit Definition
- 23 6NYCRR 201-5.3(b): Compliance Demonstration
- 24 6NYCRR 201-5.3(b): Compliance Demonstration
- 25 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 26 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 27 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Sealing - 6NYCRR Part 200.5

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

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

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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



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

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

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

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

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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



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

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

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

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

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

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

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

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

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

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air



pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: 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 N: 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.

FEDERAL APPLICABLE REQUIREMENTS



Emission Unit: 2-TANKS
Process: TNK

Emission Source: TNK33

Emission Unit: 2-TANKS
Process: TNK

Emission Source: TNK35

Emission Unit: 2-TANKS
Process: TNK

Emission Source: TNK36

Regulated Contaminant(s):
CAS No: 000071-43-2 BENZENE

Item 3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall limit the weight percent of benzene in the naphtha to ensure that ambient air concentrations stay below the SGC (short-term guideline concentration) and AGC (annualized guideline concentration) levels determined in most current DAR-1 AGC/SGC Tables provided by the department. The weight percent of benzene shall be determined by a sampling and analysis protocol approved by the department prior to receiving material.

This condition can be superseded, after a permit modification, by a stack test for benzene at emission point EP: EPRF1 that proves that the destruction efficiency of benzene is high enough to ensure that ambient concentrations SGC and AGC levels are not exceeded at the facility. After the stack test is conducted and results are evaluated by the department, the facility may request a permit modification to include a higher weight percent of benzene in naphtha based on the stack test data attained for the emission point EP: EPFR1.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NAPHTHA

Parameter Monitored: BENZENE

Upper Permit Limit: 0.9 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 4: Compliance Demonstration
Effective between the dates of 12/22/2008 and Permit Expiration Date



Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)

Item 4.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 4.2:

Compliance Demonstration 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 oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225-1.8

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or oil shall submit reports to the commissioner containing fuel analysis data, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of three years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**** Emission Unit Level ****

Condition 6: Capping Monitoring Condition
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 6.1:

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

6NYCRR 201-6

Item 6.2:

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

Item 6.3:

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

Item 6.4:

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

Item 6.5:

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

Item 6.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-COMBU

Regulated Contaminant(s):

CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 0NY075-00-5	PM-10
CAS No: 0NY210-00-0	OXIDES OF NITROGEN
CAS No: 007446-09-5	SULFUR DIOXIDE



Item 6.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility will cap SO₂, NO_x, CO, and PM-10 to 90 tons/year, which is less than the Title V thresholds.

When firing natural gas in the boilers, there is no limit based on emission factors provided by AP-42. The boilers may be used at maximum capacity.

When firing #6 Fuel Oil in the boilers, there will be a fuel oil limit calculated based on the emission factors provided by AP-42. The #6 Fuel Oil limit calculated is the total amount of fuel oil that can be burned in both boilers.

Fuel usage shall be recorded on a monthly basis for the boilers whether using either fuel. # 6 Fuel Oil usage shall be recorded on a monthly basis and be rolled monthly for a twelve month period to ensure compliance with this condition.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 6 OIL

Upper Permit Limit: 636300 gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 7: Compliance Demonstration
Effective between the dates of 12/22/2008 and Permit Expiration Date

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

Item 7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-COMBU

Item 7.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:



No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 8: Compliance Demonstration
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-COMBU

Process: CFO

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - date and time of day
 - observer's name
 - identity of emission point
 - weather condition
 - was a plume observed?

Incident weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the



date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 9: Compliance Demonstration
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 229.3(a)

Item 9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-TANKS

Process: TNK

Item 9.2:

Compliance Demonstration 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.

Reference Test Method: Visual

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: VOL fixed roof storage tank requirements
Effective between the dates of 12/22/2008 and Permit Expiration Date

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

Item 10.1:

This Condition applies to Emission Unit: 2-TANKS
Process: TNK

Item 10.2:

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

Condition 11: Compliance Demonstration
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 229.5(d)

Item 11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-TANKS
Process: TNK

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



Item 11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 12: Capping Monitoring Condition
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 12.1:

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

6NYCRR 201-6

Item 12.2:

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

Item 12.3:

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

Item 12.4:

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

Item 12.5:

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

Item 12.6:

The Compliance Demonstration activity will be performed for:



Emission Unit: 3-RACKS
Process: OUT

Emission Point: EPRF1

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

CAS No: 0NY100-00-0 HAP

Item 12.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Naphtha throughput at the rail loading rack shall be limited to keep total HAP emissions to less than the facility wide cap of 23.75 tons/year and each individual HAP to less than the facility wide cap of 9.5 tons/year, which is less than the applicability threshold of 6 NYCRR 201-6 (Title V).

Naphtha throughput at the rail loading rack shall be limited to keep VOC emissions to less than the facility wide cap of 47.5 tons/year which is the applicability threshold of 6 NYCRR 201-6 (Title V).

The throughput limit was calculated and based on facility wide emissions profile. The calculation includes the following: emissions for both natural gas and #6 Fuel Oil used in the boilers, the tanks breathing and working losses calculated by "TANKS" program, all of the fugitive HAP and VOC emissions using emission factors, a flare manufacturer's guarantee of 10 milligrams of VOC per liter of product loaded at the rail and truck loading rack and a manufacturer's guarantee of 10 milligrams of VOC per liter of product loaded at the barge loading rack. All exempt sources are also included in the calculation.

Naphtha throughput shall be recorded on a monthly basis and be rolled monthly for a twelve month period to ensure compliance with this condition.

Work Practice Type: PROCESS MATERIAL THRUPTUT

Process Material: NAPHTHA

Upper Permit Limit: 150838800 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 13: Capping Monitoring Condition



Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 13.1:

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

6NYCRR 201-6

Item 13.2:

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

Item 13.3:

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

Item 13.4:

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

Item 13.5:

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

Item 13.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-RACKS Emission Point: EPRF1
Process: OUT

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

Item 13.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS
Monitoring Description:



Ethanol throughput at the rail loading rack and truck loading rack shall be limited to keep total HAP emissions to less than the facility wide cap of 23.75 tons/year and each individual HAP to less than the facility wide cap of 9.5 tons/year, which is less than the applicability threshold of 6 NYCRR 201-6 (Title V).

Ethanol throughput at the rail loading rack and truck loading rack shall be limited to keep VOC emissions to less than the facility wide cap of 47.5 tons/year which is the applicability threshold of 6 NYCRR 201-6 (Title V).

The throughput limit was calculated and based on facility wide emissions profile. The calculation includes the following: emissions for both natural gas and #6 Fuel Oil used in the boilers, the tanks breathing and working losses calculated by "TANKS" program, all of the fugitive HAP and VOC emissions using emission factors, a flare manufacturer's guarantee of 10 milligrams of VOC per liter of product loaded at the rail and truck loading rack and a manufacturer's guarantee of 10 milligrams of VOC per liter of product loaded at the barge loading rack. All exempt sources are also included in the calculation.

Ethanol throughput shall be recorded on a monthly basis and be rolled monthly for a twelve month period to ensure compliance with this condition.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ETHANOL

Upper Permit Limit: 3783321 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 14: Capping Monitoring Condition
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 14.1:

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

6NYCRR 201-6

Item 14.2:



facility shall conduct a stack test 180 days from date of initial startup of the permanent vapor combustion unit . The facility shall submit an initial notification to the department upon startup of the permanent vapor combustion unit.

The stack test protocol and results should be submitted in accordance with 6 NYCRR 202-1.

The methods of testing shall be done in accordance with 40 CFR 60 Appendix A.

Parameter Monitored: VOC

Upper Permit Limit: 10 milligrams per liter

Reference Test Method: SEE MONITORING DESCRIPTION

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 15: Capping Monitoring Condition
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 15.1:

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

6NYCRR 201-6

Item 15.2:

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

Item 15.3:

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

Item 15.4:

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



Item 15.5:

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

Item 15.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-RACKS Emission Point: EPRF2
Process: OUT

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

Item 15.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Ethanol throughput for barge loading shall be limited to keep total HAP emissions to less than the facility wide cap of 23.75 tons/year and each individual HAP to less than the facility wide cap of 9.5 tons/year, which is less than the applicability threshold of 6 NYCRR 201-6 (Title V).

Ethanol throughput for barge loading shall be limited to keep VOC emissions to less than facility wide cap of 47.5 tons/year which is the applicability threshold of 6 NYCRR 201-6 (Title V).

The throughput limit was calculated and based on facility wide emissions profile. The calculation includes the following: emissions for both natural gas and #6 Fuel Oil used in the boilers, the tanks breathing and working losses calculated by "TANKS" program, all of the fugitive HAP and VOC emissions using emission factors, a flare manufacturer's guarantee of 10 milligrams of VOC per liter of product loaded at the rail and truck loading rack and a manufacturer's guarantee of 10 milligrams of VOC per liter of product loaded at the barge loading rack. All exempt sources are also included in the calculation.

Ethanol throughput shall be recorded on a monthly basis and be rolled monthly for a twelve month period to ensure compliance with this condition.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: ETHANOL

Upper Permit Limit: 374548731 gallons per year



Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL TOTAL ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 16: Capping Monitoring Condition
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 16.1:

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

6NYCRR 201-6

Item 16.2:

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

Item 16.3:

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

Item 16.4:

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

Item 16.5:

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

Item 16.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-RACKS
Process: OUT

Emission Point: EPRF2
Emission Source: RAC2C

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



Item 16.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

An intermittent emission test shall be done once every five years from the previous stack test on the vapor combustion unit to verify manufacturer's guarantee for VOC (Volatile Organic Compound) emitted, to ensure compliance with caps taken at the facility.

The stack test protocol and results should be submitted in accordance with 6 NYCRR 202-1.

The methods of testing shall be done in accordance with 40 CFR 60 Appendix A.

Parameter Monitored: VOC

Upper Permit Limit: 10 milligrams per liter

Reference Test Method: SEE MONITORING DESCRIPTION

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 17: §63.560(a)(3) - Recordkeeping for existing sources less than 10 and 25 TPY HAPs
Effective between the dates of 12/22/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 63.560(a)(3), Subpart Y

Item 17.1:

This Condition applies to Emission Unit: 3-RACKS Emission Point: EPRF2
Process: OUT Emission Source:
RACK2

Item 17.2:

The record keeping requirements of §63.567(j)(4) and the emission estimation requirements of §63.565(l) apply to existing sources with emissions less than 10tons of a single HAP or 25 tons of total HAP's.

**Condition 18: Emission estimation procedures
Effective between the dates of 12/22/2008 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 63.565(l), Subpart Y

Item 18.1:

This Condition applies to Emission Unit: 3-RACKS Emission Point: EPRF2
Process: OUT Emission Source:
RACK2



Item 18.2:

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.

Condition 19: Compliance Demonstration
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 63.567(j)(4), Subpart Y

Item 19.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-RACKS Emission Point: EPRF2
Process: OUT Emission Source: RACK2

Regulated Contaminant(s):
CAS No: ONY100-00-0 HAP

Item 19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of marine tank vessel loading operations specified in §63.560(a)(3) shall retain records of the emissions estimates determined in §65.565(l) and records of their actual throughputs by commodity, for 5 years.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

Item B: 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 only enforceable.



Condition 20: Contaminant List

Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 20.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000071-43-2

Name: BENZENE

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY075-00-5

Name: PM-10

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

Condition 21: Unavoidable noncompliance and violations

Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-1.4

Item 21.1:

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 superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

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

Condition 22: Emission Unit Definition
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 22.1:

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

Emission Unit: 1-COMBU

Emission Unit Description:

This emission unit consists of two boilers which are used to heat the facilities asphalt tanks. These boilers also provide the facility with heat and hot water. Boiler #1 is rated at 50 MMBtu/hr and Boiler #2 is rated at 24 MMBtu/hr. Both boilers are dual fired boilers and can either use natural gas or #6 fuel oil. Boiler #1 was installed in 1955 and Boiler #2 was installed in 1975. No modifications were made to either boiler since installation. Fuel Oil with up to 1.5% sulfur will be



used.

Building(s): BP

Item 22.2:

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

Emission Unit: 2-TANKS

Emission Unit Description:

This emission unit consists of 23 tanks which are used to store various types of petroleum, VOC products, organic and inorganic materials. This facility also has four empty closed tanks.

Item 22.3:

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

Emission Unit: 3-RACKS

Emission Unit Description:

This emission unit consists of the rail, truck, barge rack used for loadout product for shipment. The rail and truck racks are controlled by Flare #1 and the barge rack is controlled by Flare #2.

Condition 23: Compliance Demonstration

Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5.3(b)

Item 23.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 3-RACKS

Process: OUT

Emission Source: RAC1C

Emission Unit: 3-RACKS

Process: OUT

Emission Source: RAC2C

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An outside contractor, specializing in vapor combustion unit maintenance, shall perform preventative maintenance at the frequency shown below, to ensure proper operation of vapor combustion unit.

Monitoring Frequency: SEMI-ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 24: Compliance Demonstration

Effective between the dates of 12/22/2008 and Permit Expiration Date



Applicable State Requirement: 6NYCRR 201-5.3(b)

Item 24.1:

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

Emission Unit: 3-RACKS

Process: OUT

Emission Source: RAC1C

Emission Unit: 3-RACKS

Process: OUT

Emission Source: RAC2C

Item 24.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The flares shall use a sensor to monitor the presence of a pilot flame during loading.

If the sensor signals that there is not a pilot flame present, the loading shall be automatically shutdown. Facility personnel shall immediately investigate the problem and expedite repairs if possible. No product shall be loaded into trucks, rail (Flare #1) or barge (Flare #2).

The following should be done on a daily basis when a truck, railcars, or barge is being loaded with product and shall be entered into a log:

- 1) The flare shall be visually checked for a flame.
- 2) The flare shall be visually checked for bypass.

An exceedance shall be reported to the department and an exceedance is defined as the following:

- a) If a signal is generated by a sensor that indicates that a flame is present and it actually is not present.
- b) If no signal is generated by the sensor.
- c) If there is a bypass of the flare units.

Records shall be maintained in a logbook on both flares when loading railcars, truck or barge at the facility. The following must be recorded in a bound logbook or other format acceptable to the department:

- 1) Date
- 2) Time



- 3) Observer's name
- 4) Status of the flame
- 5) Status of bypass

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 25: Air pollution prohibited
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 25.1:

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.

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

Condition 26: Emission Point Definition By Emission Unit
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 26.1:

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

Emission Unit: 1-COMBU

Emission Point: EPC01
Height (ft.): 37 Diameter (in.): 60

Emission Point: EPC02
Height (ft.): 37 Diameter (in.): 36

Item 26.2:

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

Emission Unit: 2-TANKS

Emission Point: EPT01
Height (ft.): 42 Diameter (in.): 10

Emission Point: EPT02
Height (ft.): 42 Diameter (in.): 10



Emission Point: EPT03 Height (ft.): 42	Diameter (in.): 10
Emission Point: EPT04 Height (ft.): 32	Diameter (in.): 10
Emission Point: EPT05 Height (ft.): 32	Diameter (in.): 10
Emission Point: EPT06 Height (ft.): 32	Diameter (in.): 10
Emission Point: EPT07 Height (ft.): 32	Diameter (in.): 10
Emission Point: EPT08 Height (ft.): 32	Diameter (in.): 10
Emission Point: EPT15 Height (ft.): 32	Diameter (in.): 6
Emission Point: EPT16 Height (ft.): 22	Diameter (in.): 10
Emission Point: EPT22 Height (ft.): 51	Diameter (in.): 24
Emission Point: EPT30 Height (ft.): 51	Diameter (in.): 24
Emission Point: EPT31 Height (ft.): 59	Diameter (in.): 24
Emission Point: EPT32 Height (ft.): 59	Diameter (in.): 24
Emission Point: EPT33 Height (ft.): 59	Diameter (in.): 24
Emission Point: EPT34 Height (ft.): 59	Diameter (in.): 24
Emission Point: EPT35 Height (ft.): 59	Diameter (in.): 24
Emission Point: EPT36 Height (ft.): 59	Diameter (in.): 24
Emission Point: EPT37 Height (ft.): 59	Diameter (in.): 24
Emission Point: EPT38	



Height (ft.): 59 Diameter (in.): 12

Emission Point: EPT39
Height (ft.): 59 Diameter (in.): 10

Emission Point: EPT40
Height (ft.): 59 Diameter (in.): 10

Emission Point: EPT46
Height (ft.): 59 Diameter (in.): 8

Item 26.3:

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

Emission Unit: 3-RACKS

Emission Point: EPRF1
Height (ft.): 14 Diameter (in.): 16

Emission Point: EPRF2
Height (ft.): 50 Diameter (in.): 96

Condition 27: Process Definition By Emission Unit
Effective between the dates of 12/22/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 27.1:

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

Emission Unit: 1-COMBU
Process: CFO
Process Description:
This process represents #6 fuel oil combustion at 8760 hrs/yr in the facility's boilers, Boiler #1 rated at 50 MMBtu/hr and Boiler #2 rated at 24 MMBtu/hr. Total annual fuel usage for #6 fuel oil for both boilers will be limited to below the major source thresholds.

Emission Source/Control: BOIL1 - Combustion
Design Capacity: 50,000,000 British thermal units per hour

Emission Source/Control: BOIL2 - Combustion
Design Capacity: 24,000,000 British thermal units per hour

Item 27.2:

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

Emission Unit: 1-COMBU
Process: CNG
Process Description:
This process represents natural gas combustion at 8760 hrs/yr in the facilities two boilers; Boiler #1 rated at



50 MMBtu/hr and Boiler #2 rated at 24 MMBtu/hr.

Emission Source/Control: BOIL1 - Combustion
Design Capacity: 50,000,000 British thermal units per hour

Emission Source/Control: BOIL2 - Combustion
Design Capacity: 24,000,000 British thermal units per hour

Item 27.3:

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

Emission Unit: 2-TANKS

Process: OST

Process Description:

This process consists of 16 tanks which are used to store various types of petroleum, VOC products, organic and inorganic materials which result in insignificant amount of emissions.

Emission Source/Control: TNK01 - Process
Design Capacity: 3,360,000 gallons

Emission Source/Control: TNK02 - Process
Design Capacity: 2,310,000 gallons

Emission Source/Control: TNK03 - Process
Design Capacity: 2,310,000 gallons

Emission Source/Control: TNK04 - Process
Design Capacity: 210,000 gallons

Emission Source/Control: TNK05 - Process
Design Capacity: 210,000 gallons

Emission Source/Control: TNK06 - Process
Design Capacity: 210,000 gallons

Emission Source/Control: TNK07 - Process
Design Capacity: 210,000 gallons

Emission Source/Control: TNK08 - Process
Design Capacity: 210,000 gallons

Emission Source/Control: TNK15 - Process
Design Capacity: 17,682 gallons

Emission Source/Control: TNK16 - Process
Design Capacity: 46,998 gallons

Emission Source/Control: TNK22 - Process
Design Capacity: 5,063,730 gallons

Emission Source/Control: TNK30 - Process



Design Capacity: 1,015,140 gallons

Emission Source/Control: TNK38 - Process
Design Capacity: 3,290,280 gallons

Emission Source/Control: TNK39 - Process
Design Capacity: 1,260,000 gallons

Emission Source/Control: TNK40 - Process
Design Capacity: 1,260,000 gallons

Emission Source/Control: TNK46 - Process
Design Capacity: 1,184,400 gallons

Item 27.4:

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

Emission Unit: 2-TANKS

Process: TFG

Process Description:

This process consists of fugitive HAP/VOC emissions from pumps, valves and flange leaks.

Emission Source/Control: FEVPL - Process

Item 27.5:

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

Emission Unit: 2-TANKS

Process: TNK

Process Description:

This process consists of seven tanks which are used to store naphtha or ethanol.

Emission Source/Control: TK31C - Control
Control Type: FLOATING ROOF

Emission Source/Control: TK32C - Control
Control Type: FLOATING ROOF

Emission Source/Control: TK33C - Control
Control Type: FLOATING ROOF

Emission Source/Control: TK34C - Control
Control Type: FLOATING ROOF

Emission Source/Control: TK35C - Control
Control Type: FLOATING ROOF

Emission Source/Control: TK36C - Control
Control Type: FLOATING ROOF

Emission Source/Control: TK37C - Control



Control Type: FLOATING ROOF

Emission Source/Control: TNK31 - Process
Design Capacity: 7,402,920 gallons

Emission Source/Control: TNK32 - Process
Design Capacity: 7,402,920 gallons

Emission Source/Control: TNK33 - Process
Design Capacity: 4,737,600 gallons

Emission Source/Control: TNK34 - Process
Design Capacity: 4,737,600 gallons

Emission Source/Control: TNK35 - Process
Design Capacity: 5,909,400 gallons

Emission Source/Control: TNK36 - Process
Design Capacity: 5,909,400 gallons

Emission Source/Control: TNK37 - Process
Design Capacity: 2,520,000 gallons

Item 27.6:

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

Emission Unit: 3-RACKS

Process: OUT

Process Description:

This process consists of the rail, truck and barge rack used to loadout product for shipment. The rail and truck rack is controlled via Flare #1 and the barge rack controlled via Flare #2.

Emission Source/Control: RAC1C - Control
Control Type: FLARING

Emission Source/Control: RAC2C - Control
Control Type: FLARING

Emission Source/Control: RACK1 - Process

Emission Source/Control: RACK2 - Process

