New York State Department of Environmental Conservation
Facility DEC ID: 4010100112

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 4-0101-00112/00029
Mod 0 Effective Date: 06/20/2005 Expiration Date: 06/19/2010

Mod 1 Effective Date: 12/05/2005 Expiration Date: 06/19/2010

Permit Issued To: GLOBAL COMPANIES LLC
800 SOUTH ST
WALTHAM, MA 02453

Facility: GLOBAL COMPANIES LLC - ALBANY TERMINAL
50 CHURCH ST - PORT OF ALBANY
ALBANY, NY 12202

Contact: JIM HESSER
EXXONMOBIL ALBANY TERMINAL
50 CHURCH ST
ALBANY, NY 12202
(518) 436-6570

Description:

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: NANCY M ADAMS
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

Authorized Signature: _____ Date: ___ / ___ / _____

New York State Department of Environmental Conservation
Facility DEC ID: 4010100112

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

New York State Department of Environmental Conservation
Facility DEC ID: 4010100112

LIST OF CONDITIONS

DEC GENERAL CONDITIONS
General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for Permit Renewals and Modifications
Permit Modifications, Suspensions and Revocations by the Department
Facility Level
Submission of Applications for Permit Modification or Renewal -REGION 4 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 and Modifications
Applicable State Requirement: 6NYCRR 621.13

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 and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

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 Applications for Permit Modification or Renewal -REGION 4 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1150 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

New York State Department of Environmental Conservation
Permit ID: 4-0101-00112/00029 Facility DEC ID: 4010100112

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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800 SOUTH ST
WALTHAM, MA 02453

Facility: GLOBAL COMPANIES LLC - ALBANY TERMINAL
50 CHURCH ST - PORT OF ALBANY
ALBANY, NY 12202

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

Mod 0 Permit Effective Date: 06/20/2005 Permit Expiration Date: 06/19/2010

Mod 1 Permit Effective Date: 12/05/2005 Permit Expiration Date: 06/19/2010

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

1 6NYCRR 200.6: Acceptable Ambient Air Quality
2 6NYCRR 201-6.5(a)(7): Fees
3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
6 6NYCRR 201-6.5(e): Compliance Certification
7 6NYCRR 202-2.1: Compliance Certification
8 6NYCRR 202-2.5: Recordkeeping requirements
9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
10 6NYCRR 200.7: Maintenance of Equipment
11 6NYCRR 201-1.7: Recycling and Salvage
12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
18 6NYCRR 201-6.5(f)(6): Off Permit Changes
19 6NYCRR 202-1.1: Required Emissions Tests
20 6NYCRR 211.3: Visible Emissions Limited
21 40CFR 68: Accidental release provisions.
22 40CFR 82, Subpart F: Recycling and Emissions Reduction
23 6NYCRR 201-6: Emission Unit Definition
1-1 6NYCRR 201-7: Facility Permissible Emissions
*1-2 6NYCRR 201-7: Capping Monitoring Condition
*1-3 6NYCRR 201-7: Capping Monitoring Condition
*1-4 6NYCRR 201-7: Capping Monitoring Condition
24 6NYCRR 202-1.2: Notification
25 6NYCRR 202-1.3(a): Acceptable procedures
26 6NYCRR 225-1.2(a)(2): Compliance Certification
1-6 6NYCRR 225-1.8(b): Compliance Certification
1-5 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
29 6NYCRR 225-3.3(a): Compliance Certification
30 40CFR 82: Recycling and emissions reduction.

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31 6NYCRR 201-6: Emission Point Definition By Emission Unit
32 6NYCRR 201-6: Process Definition By Emission Unit

EU=1-RACK1

33 6NYCRR 229.3(d): Vapor collection system requirements
42 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
43 40CFR 60.7(a), NSPS Subpart A: Modification Notification
44 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
45 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
46 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
1-7 40CFR 60.8(a), NSPS Subpart A: Compliance Certification
47 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
48 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
49 40CFR 60.8(d), NSPS Subpart A: Prior notice.
50 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
51 40CFR 60.9, NSPS Subpart A: Availability of information.
52 40CFR 60.11(a), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
53 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
54 40CFR 60.12, NSPS Subpart A: Circumvention.
55 40CFR 60.14, NSPS Subpart A: Modifications.
56 40CFR 60.15, NSPS Subpart A: Reconstruction.
57 40CFR 60.502(b), NSPS Subpart XX: Emission limit
58 40CFR 60.502(e), NSPS Subpart XX: Compliance Certification
59 40CFR 60.502(f), NSPS Subpart XX: Truck loading compatibility
60 40CFR 60.502(g), NSPS Subpart XX: Vapor collection connection required
61 40CFR 60.502(h), NSPS Subpart XX: Pressure limit
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67 40CFR 60.505(d), NSPS Subpart XX: Untested truck notification records
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1-9 40CFR 64: Compliance Certification
1-10 40CFR 64: Compliance Certification
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72 6NYCRR 229.1(d)(2)(iv): Compliance Certification
73 6NYCRR 229.3(d): Vapor collection system requirements
1-12 40CFR 64: Compliance Certification
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1-14 40CFR 64: Compliance Certification

EU=1-TANKS,Proc=GAS
78 6NYCRR 229.1(d)(2)(i): Petroleum fixed roof tanks - a
79 6NYCRR 229.3(a): Internal floating roofs required in fixed roof tanks storing petroleum products

STATE ONLY ENFORCEABLE CONDITIONS
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80 ECL 19-0301: Contaminant List
1-15 ECL 19-0301.3b: Compliance Demonstration
82 6NYCRR 201-1.4: Unavoidable noncompliance and violations
87 6NYCRR 211.2: Air pollution prohibited
88 6NYCRR 225-3.4(a): Compliance Demonstration
89 6NYCRR 225-3.4(b): Compliance Demonstration
90 6NYCRR 225-3.4(d): Records Available for Inspection

NOTE: * preceding the condition number indicates capping.

FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

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

Item A: 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 B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to

Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: **Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: **Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: **Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: **Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: **Cessation or Reduction of Permitted Activity Not a Defense - 6NYCRR Part 201-6.5(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in

order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or 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 Part 201-6.5(i)

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

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

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

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

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

Proceedings to reopen and issue Title V facility permits 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 2: Fees
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 2.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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.

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

Condition 6: Compliance Certification
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 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:

1150 North Westcott Road
Schenectady, NY 12306-2014

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 4/30/2006.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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.

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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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.

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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 12.1:
No person shall 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 19: Required Emissions Tests
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 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 20: Visible Emissions Limited
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 211.3

Item 20.1:
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.

Condition 21: Accidental release provisions.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 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 06/20/2005 and 06/19/2010

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 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 1-RACK1
Emission Unit Description:
TRUCK LOADING RACK WITH 3 GASOLINE BAYS AND 5 DISTILLATE BAYS.

Item 23.2(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 1-RACK2
Emission Unit Description:
RAILCAR LOADING RACK WITH 2 LOADING POSITIONS FOR GASOLINE AND DISTILLATE WITH VAPOR COMBUSTION CONTROL FOR PROCESSES RRG AND RRD.

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:
SIX GASOLINE STORAGE TANKS OF VARIOUS VOLUMES, ALL ARE FIXED ROOF TANKS WITH INTERNAL FLOATING ROOFS. WHEN TWO TANKS, CURRENTLY IN DISTILALTE SERVICE (114 & 115) ARE PLACED IN GASOLINE SERVICE, THEY WILL BE FITTED WITH INTERNAL FLOATING ROOFS.

ACTIVITY WITH INSIGNIFICANT EMISSIONS; WASTEWATER TANKS WITH WASTEWATER CONTAMINATED WITH GASOLINE AND DISTILLATES.

Condition 1-1: Facility Permissible Emissions
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-7

Item 1-1.1:
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following
Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000071-43-2 (From Mod 1) PTE: 19,000 pounds per year

Name: BENZENE

CAS No: 000091-20-3 (From Mod 1) PTE: 19,000 pounds per year
Name: NAPHTHALENE

CAS No: 000092-52-4 (From Mod 1) PTE: 19,000 pounds per year
Name: 1, 1 BIPHENYL

CAS No: 000095-48-7 (From Mod 1) PTE: 19,000 pounds per year
Name: 2-METHYL-PHENOL

CAS No: 000098-82-8 (From Mod 1) PTE: 19,000 pounds per year
Name: BENZENE, (1-METHYLETHYL)

CAS No: 000100-41-4 (From Mod 1) PTE: 19,000 pounds per year
Name: ETHYLBENZENE

CAS No: 000108-88-3 (From Mod 1) PTE: 19,000 pounds per year
Name: TOLUENE

CAS No: 000108-95-2 (From Mod 1) PTE: 19,000 pounds per year
Name: PHENOL

CAS No: 000110-54-3 (From Mod 1) PTE: 19,000 pounds per year
Name: HEXANE

CAS No: 000540-84-1 (From Mod 1) PTE: 19,000 pounds per year
Name: PENTANE, 2,2,4-TRIMETHYL-

CAS No: 001330-20-7 (From Mod 1) PTE: 19,000 pounds per year
Name: XYLENE, M, O & P MIXT.

CAS No: 0NY100-00-0 (From Mod 1) PTE: 47,500 pounds per year
Name: HAP

Condition 1-2: Capping Monitoring Condition
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-7

Item 1-2.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R

Item 1-2.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 1-2.3:
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 1-2.4:
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 1-2.5:
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 1-2.6:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000091-20-3	NAPHTHALENE
CAS No: 000092-52-4	1, 1 BIPHENYL
CAS No: 000095-48-7	2-METHYL-PHENOL
CAS No: 000098-82-8	BENZENE, (1-METHYLETHYL)
CAS No: 000100-41-4	ETHYLBENZENE
CAS No: 000108-88-3	TOLUENE
CAS No: 000108-95-2	PHENOL
CAS No: 000110-54-3	HEXANE
CAS No: 000540-84-1	PENTANE, 2,2,4-TRIMETHYL-
CAS No: 001330-20-7	XYLENE, M, O & P MIXT.
CAS No: 000071-43-2	BENZENE

Item 1-2.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
*GASOLINE THRUPUT LIMITED TO KEEP INDIVIDUAL HAP EMISSIONS LESS THAN 9.5

TONS/YR; THAT IS, LESS THAN THE APPLICABILITY THRESHOLD OF 40 CFR 63, R. THIS ABSOLVES THE FACILITY FROM THAT NESHAP.

EMISSIONS SHALL BE CALCULATED USING THE MOST CURRENT AP-42 EMISSION FACTORS, "TANKS" PROGRAM, OR OTHER CURRENT EMISSION FACTORS. THRUPUT LIMIT WAS CALCULATED USING A VRU EMISSION RATE OF 10 mg/l AND A VCU EMISSION ATE OF 10 mg/l.

GASOLINE THRUPUT SHALL BE INCLUDED IN THE ANNUAL REPORT.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: GASOLINE
Upper Permit Limit: 950000 1000 gallons
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 1-3: Capping Monitoring Condition
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-7

Item 1-3.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R

Item 1-3.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 1-3.3:
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 1-3.4:
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 1-3.5:
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 1-3.6:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-3.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
*GASOLINE THRUPUT LIMITED TO KEEP TOTAL HAP EMISSIONS LESS THAN 23.75 TONS/YR; THAT IS, LESS THAN THE APPLICABILITY THRESHOLD OF 40 CFR 63, R. THIS ABSOLVES THE FACILITY FROM THAT NESHAP.

EMISSIONS SHALL BE CALCULATED USING THE MOST CURRENT AP-42 EMISSION FACTORS, "TANKS" PROGRAM, OR OTHER CURRENT EMISSION FACTORS. THRUPUT LIMIT WAS CALCULATED USING A VRU EMISSION RATE OF 10 mg/l AND A VCU EMISSION RATE OF10 mg/l.

GASOLINE THRUPUT SHALL BE INCLUDED IN THE ANNUAL REPORT.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: GASOLINE
Upper Permit Limit: 950000 1000 gallons

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

Condition 1-4: Capping Monitoring Condition
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-7

Item 1-4.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40CFR 63-R

Item 1-4.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 1-4.3:
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 1-4.4:
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 1-4.5:
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 1-4.6:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-4.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
*DISTILLATE OIL THRUPUT LIMITED TO KEEP INDIVIDUAL AND TOTAL HAP EMISSIONS LESS THAN 9.5 TONS/YR AND 23.75 TONS/YR, RESPECTIVELY; THAT IS, LESS THAN THE APPLICABILITY THRESHOLDS OF 40 CFR 63, R. THIS ABSOLVES THE FACILITY FROM THAT NESHAP.

EMISSIONS SHALL BE CALCULATED USING THE MOST CURRENT AP-42 EMISSION FACTORS, "TANKS" PROGRAM, OR OTHER CURRENT EMISSION FACTORS.

DISTILLATE OIL THRUPUT SHALL BE INCLUDED IN THE ANNUAL REPORT.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Upper Permit Limit: 229300 1000 gallons
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 24: Notification
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 24.1:
A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 25: Acceptable procedures
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 202-1.3(a)

Item 25.1:
Emission testing, sampling and analytical determinations to ascertain compliance with this Subchapter shall be conducted in accordance with test methods acceptable to the commissioner. The Reference Methods contained in part 60, appendix A and part 61, appendix B of title 40 of the Code of Federal Regulations and all future technical revisions, additions or corrections made thereto shall be considered as acceptable test methods for those sources and contaminants for which they are expressly applicable, except where the commissioner has issued a specific method to be used instead of a Reference Method contained in these Federal regulations or where the commissioner determines that one or more alternate methods are also acceptable. The person who owns or operates an air contamination source shall submit the emission test report in triplicate, to the commissioner within 60 days after the completion of tests. In the event such source owner/operator can demonstrate to the commissioner such time is not sufficient, he may request in writing and be granted an extension. Where an opacity emission standard is applicable to the source tested, the emission test report shall include the opacity observation.

Condition 26: Compliance Certification
Effective between the dates of 06/20/2005 and 06/19/2010

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

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: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 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: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.

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

Condition 1-6: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

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

Item 1-6.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
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.

Such fuel analyses must contain as a minimum:

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

ii. data on the sulfur content, specific gravity and heating value of distillate oil; and

iii. data on the sulfur content, ash content and heating value of coal.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 1-5: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 12/05/2005 and 06/19/2010

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

Item 1-5.1:
All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

Condition 29: Compliance Certification
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 29.1:
The Compliance Certification activity will be performed for the Facility.

Item 29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: 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 May 1st through September 15th of each year. Sampling and testing will be done according to a protocol approved by the Department.

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
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 12 calendar month(s).

Condition 30: Recycling and emissions reduction.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 82

Item 30.1: The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

Condition 31: Emission Point Definition By Emission Unit
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-6

Item 31.1(From Mod 1):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-RACK1

Emission Point: 00001
Height (ft.): 19 Diameter (in.): 12
NYTMN (km.): 4722.024 NYTME (km.): 602.033

Item 31.2(From Mod 1):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-RACK2

Emission Point: 00002
Height (ft.): 37 Diameter (in.): 90
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Item 31.3(From Mod 1):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-TANKS

Emission Point: 00114
Height (ft.): 48 Diameter (in.): 81
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 00115
Height (ft.): 48 Diameter (in.): 81
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 00117
Height (ft.): 48 Diameter (in.): 81
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 00118
Height (ft.): 48 Diameter (in.): 63
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 00119

Height (ft.): 48 Diameter (in.): 57
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 00120
Height (ft.): 48 Diameter (in.): 57
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 00121
Height (ft.): 48 Diameter (in.): 81
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 00130
Height (ft.): 48 Diameter (in.): 81
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Emission Point: 001WW
Height (ft.): 30 Diameter (in.): 57
NYTMN (km.): 4720.724 NYTME (km.): 601.833

Condition 32: Process Definition By Emission Unit
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 201-6

Item 32.1(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK1
Process: KFG Source Classification Code: 4-04-001-54
Process Description:
FUGITIVE EMISSION LOSSES FROM TANK TRUCKS
DURING LOADING.

Emission Source/Control: RACK1 - Process
Design Capacity: 888,300,000 gallons per year

Item 32.2(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK1
Process: KRD Source Classification Code: 4-04-002-50
Process Description:
TANK TRUCKS ARE BOTTOM LOADED WITH
DISTILLATE AT 2 BAYS AND TOP LOADED AT 3
BAYS. VAPORS FROM THE BOTTOM LOADING BAYS
ARE SENT TO THE VAPOR RECOVERY UNIT.

Emission Source/Control: VRUTK - Control
Control Type: VAPOR RECOVERY SYS(INCL. CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: RACK1 - Process
Design Capacity: 888,300,000 gallons per year

Item 32.3(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK1
Process: KRG Source Classification Code: 4-04-002-50
Process Description:
GASOLINE TANK TRUCKS ARE LOADED AT 3 BAYS. VAPORS ARE RECOVERED AND RETURNED TO STORAGE.

Emission Source/Control: VRUTK - Control
Control Type: VAPOR RECOVERY SYS(INCL. CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: RACK1 - Process
Design Capacity: 888,300,000 gallons per year

Item 32.4(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK1
Process: KVR Source Classification Code: 4-04-001-53
Process Description:
FUGITIVE EMISSIONS FROM THE VAPOR RECOVERY UNIT DURING TANK TRUCK LOADING.

Emission Source/Control: VRUTK - Control
Control Type: VAPOR RECOVERY SYS(INCL. CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: RACK1 - Process
Design Capacity: 888,300,000 gallons per year

Item 32.5(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK2
Process: RFG Source Classification Code: 4-04-001-50
Process Description:
FUGITIVE EMISSION LOSSES FROM RAIL CARS

DURING LOADING.

Emission Source/Control: RACK2 - Process
Design Capacity: 116,367,300 gallons per year

Item 32.6(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK2
Process: RRD Source Classification Code: 4-04-002-50
Process Description:
RAIL CARS ARE LOADED WITH DISTILLATE AT UP TO 2 POSITIONS. VAPORS ARE DESTROYED IN A VAPOR COMBUSTION UNIT.

Emission Source/Control: VCURR - Control
Control Type: VAPOR RECOVERY SYS(INCL. CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: RACK2 - Process
Design Capacity: 116,367,300 gallons per year

Item 32.7(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK2
Process: RRG Source Classification Code: 4-04-002-50
Process Description:
GASOLINE IS LOADED INTO RAIL CARS AT UP TO 2 POSITIONS. VAPORS ARE DESTROYED IN A VAPOR COMBUSTION UNIT.

Emission Source/Control: VCURR - Control
Control Type: VAPOR RECOVERY SYS(INCL. CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: RACK2 - Process
Design Capacity: 116,367,300 gallons per year

Item 32.8(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK2
Process: RRT Source Classification Code: 4-06-001-40
Process Description:
Top loading of railcars with distillate oil. This process will be utilized when filling railcars that

previously contained distillates, not gasoline.

Emission Source/Control: RACK2 - Process
Design Capacity: 116,367,300 gallons per year

Item 32.9(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-RACK2
Process: RVC Source Classification Code: 4-04-001-53
Process Description:
FUGITIVE EMISSIONS FROM THE VAPOR
COMBUSTION UNIT DURING RAIL CAR LOADING.

Emission Source/Control: VCURR - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: RACK2 - Process
Design Capacity: 116,367,300 gallons per year

Item 32.10(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-TANKS
Process: 1FG Source Classification Code: 4-07-999-97
Process Description:
waste water tank containing wastewater contaminated with
gasoline and distillates

Emission Source/Control: 1WATR - Process
Design Capacity: 1,307,796 gallons

Item 32.11(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-TANKS
Process: FG1 Source Classification Code: 4-04-001-51
Process Description:
MISCELLANEOUS FUGITIVE HAPS AND VOC
EMISSIONS FROM VALVES, PUMPS AND FLANGE
LEAKAGE.

Emission Source/Control: FVPMP - Process

Item 32.12(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-TANKS
Process: FG3 Source Classification Code: 4-07-999-97
Process Description:
WASTEWATER TANK CONTAINING WASTEWATER CONTAMINATED WITH GASOLINE AND DISTILLATES.

Emission Source/Control: TK130 - Process
Design Capacity: 1,421,868 gallons

Item 32.13(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:
SIX STORAGE TANKS, EACH HAVING A CAPACITY OF GRETER THAN 40,000 GALLONS, STORING GASOLINE, EACH TANK HAS A FIXED ROOF WITH AN INTERNAL FLOATING ROOF SEAL SYSTEM. WHEN TANKS 114 & 115 ARE CONVERTED TO GASOLINE SERVICE THEY WILL BE FITTED WITH INTERNAL FLO ATING ROOFS.

Emission Source/Control: TK114 - Process
Design Capacity: 3,715,740 gallons

Emission Source/Control: TK115 - Process
Design Capacity: 5,812,800 gallons

Emission Source/Control: TK117 - Process
Design Capacity: 2,717,148 gallons

Emission Source/Control: TK118 - Process
Design Capacity: 1,963,290 gallons

Emission Source/Control: TK119 - Process
Design Capacity: 1,292,886 gallons

Emission Source/Control: TK120 - Process
Design Capacity: 1,364,748 gallons

Emission Source/Control: TK121 - Process
Design Capacity: 4,603,536 gallons

Emission Source/Control: TK130 - Process

Design Capacity: 1,421,868 gallons

Condition 33: Vapor collection system requirements
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 229.3(d)

Item 33.1:
This Condition applies to Emission Unit: 1-RACK1

Item 33.2:
No person may load gasoline into a gasoline transport vehicle at a gasoline loading terminal, unless the loading terminal is equipped with gasoline vapor collection and vapor control systems operating in good working order. A required vapor collection system consists of:

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

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

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

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

Condition 42: EPA Region 2 address.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 42.1:
This Condition applies to Emission Unit: 1-RACK1

Item 42.2:
All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

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

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the

NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Condition 43: Modification Notification
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 43.1:
This Condition applies to Emission Unit: 1-RACK1

Item 43.2:
Any owner or operator subjsect to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

Condition 44: Recordkeeping requirements.
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 44.1:
This Condition applies to Emission Unit: 1-RACK1

Item 44.2:
Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 45: Facility files for subject sources.
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 45.1:
This Condition applies to Emission Unit: 1-RACK1

Item 45.2:
The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 46: Performance testing timeline.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A

Item 46.1:
This Condition applies to Emission Unit: 1-RACK1

Item 46.2:
Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 1-7: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A

Item 1-7.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

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:
For the performance test required by 40 CFR 60 A 8(a), the date of initial construction shall equal this permit's issue date. Therefore, the test shall be done within 180

days after this permit is issued.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 5/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 47: Performance test methods.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A

Item 47.1:
This Condition applies to Emission Unit: 1-RACK1

Item 47.2:
Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

Condition 48: Required performance test information.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.8(c), NSPS Subpart A

Item 48.1:
This Condition applies to Emission Unit: 1-RACK1

Item 48.2:
Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operate of the facility.

Condition 49: Prior notice.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.8(d), NSPS Subpart A

Item 49.1:
This Condition applies to Emission Unit: 1-RACK1

Item 49.2:
The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 50: Performance testing facilities.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.8(e), NSPS Subpart A

Item 50.1:
This Condition applies to Emission Unit: 1-RACK1

Item 50.2:
The following performance testing facilities shall be provided during all tests:

1) sampling ports adequate for tests methods applicable to such facility;

2) a safe sampling platform;

3) a safe access to the sampling platform; and

4) utilities for sampling and testing equipment.

Condition 51: Availability of information.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 51.1:
This Condition applies to Emission Unit: 1-RACK1

Item 51.2:
The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

Condition 52: Compliance with Standards and Maintenance Requirements
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.11(a), NSPS Subpart A

Item 52.1:
This Condition applies to Emission Unit: 1-RACK1

Item 52.2:
Compliance with standards in 40 CFR Part 60, other than opacity standards, shall be determined in accordance with performance tests established by section 60.8 of 40 CFR Part 60 unless otherwise specified in the applicable standard

Condition 53: Compliance with Standards and Maintenance Requirements
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.11(d), NSPS Subpart A

Item 53.1:
This Condition applies to Emission Unit: 1-RACK1

Item 53.2:
At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source

Condition 54: Circumvention.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 54.1:
This Condition applies to Emission Unit: 1-RACK1

Item 54.2:
No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 55: Modifications.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 55.1:
This Condition applies to Emission Unit: 1-RACK1

Item 55.2:
Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 56: Reconstruction.
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 56.1:
This Condition applies to Emission Unit: 1-RACK1

Item 56.2:
The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

1) a notice of intent to reconstruct 60 days prior to the action;

2) name and address of the owner or operator;

3) the location of the existing facility;

4) a brief description of the existing facility and the components to be replaced;

5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;

6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;

7) the estimated life of the facility after the replacements; and

8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 57: Emission limit
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 57.1:
This Condition applies to Emission Unit: 1-RACK1

Item 57.2:
Emissions from the vapor collection system must not exceed 35 milligrams of total organic compounds per liter of gasoline loaded.

Condition 58: Compliance Certification
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 58.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Item 58.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

1. The owner or operator shall obtain the vapor tightness documentation described in paragraph 60.505(b) of 40 CFR 60.500 Subpart XX for each gasoline tank truck which is to be loaded at the facility.

2. The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the facility.

3. The owner or operator shall cross-check each tank identification number recorded per item 2 above with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded.

4. The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the facility within 1 week after the documentation cross-check (Item #3).

5. The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that tank is obtained.

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

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 59: Truck loading compatibility
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 59.1:
This Condition applies to Emission Unit: 1-RACK1

Item 59.2:
Gasoline loading limited to trucks with vapor collection equipment which is compatible with the terminal vapor collection system.

Condition 60: Vapor collection connection required
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 60.1:
This Condition applies to Emission Unit: 1-RACK1

Item 60.2:
The terminal and tank truck vapor collection systems must be connected during gasoline loading.

Condition 61: Pressure limit
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 61.1:
This Condition applies to Emission Unit: 1-RACK1

Item 61.2:
The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals during loading.

Condition 62: Vent pressure limit
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 62.1:
This Condition applies to Emission Unit: 1-RACK1

Item 62.2:
No pressure-vacuum vent in the terminal vapor collection system shall begin to open at a pressure less than 4,500 pascals.

Condition 63: Monthly leak inspection
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 63.1:
This Condition applies to Emission Unit: 1-RACK1

Item 63.2:
The vapor collection system, vapor processing system, and loading rack must be inspected during gasoline loading for liquid and vapor leaks monthly. Inspection methods incorporating sight, sound, or smell are acceptable. Leaks detected must be recorded and repaired within 15 calendar days.

Condition 64: Truck testing file
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 64.1:
This Condition applies to Emission Unit: 1-RACK1

Item 64.2:
Tank truck vapor tightness documentation must be kept on file at the terminal in a permanent form available for inspection.

Condition 65: Truck testing records
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 65.1:
This Condition applies to Emission Unit: 1-RACK1

Item 65.2:
Tank truck testing records must be updated annually with current test data. Minimum data includes truck owner name and address, truck identification number, testing location, test date, tester name and signature, average (of two runs) of actual pressure change observed during the 5 minute test periods, and witnessing inspector's (if any): name, signature and affiliation.

Condition 66: Monthly leak inspection records
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 66.1:
This Condition applies to Emission Unit: 1-RACK1

Item 66.2:
Monthly terminal leak inspection records must be retained at the terminal for at least 2 years. Minimum information includes inspection date, leak location, leak nature, leak severity, leak detection method, date of leak repair, reason for repair delay if interval exceeds 15 days, and inspector name and signature.

Condition 67: Untested truck notification records
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 67.1:
This Condition applies to Emission Unit: 1-RACK1

Item 67.2:
Notifications sent to truck operators which had not supplied pressure testing results to the terminal before loading must be retained at the terminal for at least 2 years.

Condition 1-8: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 64

Item 1-8.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

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

Item 1-8.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Compliance testing of VRU emissions on a once/5 year cycle. The first test shall be done within 180 days of permit issuance; this first test is the 40 CFR 60 Subpart XX initial performance test (stack test). Thereafter, the test shall be done every 5 years. Compliance testing includes demonstration that VOC emissions are below the permit limit.

Upper Permit Limit: 35.0 milligrams per liter
Reference Test Method: 25A or 25B
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.

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

Condition 1-9: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 64

Item 1-9.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

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

Item 1-9.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The facility will monitor the operating vacuum of each carbon bed during a regeneration cycle once per day and manually record the vacuum.

The greatest vacuum during one regeneration cycle of each bed shall be manually recorded based on the gauge reading. The duration of the reading shall be one complete cycle. If the recorded value for either bed is less than the limit, a second reading shall be collected during the course of the next regeneration cycle of the bed, approximately 30 minute cycle.

An excursion:
If the operating vacuum of two consecutive regeneration cycles for a bed fails to attain at least 25 in Hg during both regeneration cycles of the bed, an excursion has occurred.

The facility shall comply with 40 CFR 64.7 and 64.9. Records shall be maintained in accordance with Part 201-6.5(c)(1) and (c)(2).

Parameter Monitored: VACUUM
Lower Permit Limit: 25 inches of mercury
Monitoring Frequency: DAILY
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED

VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 1-10: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 64

Item 1-10.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

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

Item 1-10.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The temperature of the carbon bed will be monitored and recorded daily during truck loading via probe inserted in the carbon bed. If the temperature is between 150 and 200 degree F, a second temperature reading will be obtained during the next loading cycle of that carbon bed.

An excursion:
1) If the the temperature exceeds 200 degree F during a loading cycle of either carbon bed, an excursion has occurred.
2) If the second temperature reading exceeds 150 degree F, an excursion has occurred.

The facility shall comply with 40 CFR 64.7 and 64.9. Records shall be maintained in accordance with Part 201-6.5(c)(1) and (c)(2).

Parameter Monitored: TEMPERATURE
Upper Permit Limit: 200 degrees Fahrenheit
Monitoring Frequency: DAILY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 1-11: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 64

Item 1-11.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

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:
A third party contractor, specializing in VRU maintenance, shall perform preventative maintenance once each quarter. The facility shall comply with 40 CFR 64.7 and 64.9. Records documenting that the quarterly maintenance occurred shall be maintained in accordance with 201-6.5(c)(1) and (c)(2).

Monitoring Frequency: QUARTERLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 72: Compliance Certification
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 229.1(d)(2)(iv)

Item 72.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK2

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The gasoline vapor collection and control systems must capture gasoline vapors during loading and unloading of gasoline transport vehicles and must condense, absorb, adsorb, or combust gasoline vapors so emissions do not exceed 0.67 pounds/1000 gallons.

Parameter Monitored: VOC
Upper Permit Limit: 0.67 pounds per 1000 gallons
Monitoring Frequency: PER DELIVERY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 73: Vapor collection system requirements
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 229.3(d)

Item 73.1:
This Condition applies to Emission Unit: 1-RACK2

Item 73.2:
No person may load gasoline into a gasoline transport vehicle at a gasoline loading terminal, unless the loading terminal is equipped with gasoline vapor collection and vapor control systems operating in good working order. A required vapor collection system consists of:

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

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

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

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

Condition 1-12: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 64

Item 1-12.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK2

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

Item 1-12.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
A third party contractor, specializing in VCU maintenance, shall perform preventative maintenance once every 6 months. The facility shall comply with 40 CFR 64.7 and 64.9. Records documenting that the quartely maintenance occurred shall be maintained in accordance with 201-6.5(c)(1) and (c)(2).

Monitoring Frequency: SEMI-ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 1-13: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 64

Item 1-13.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK2

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

Item 1-13.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Compliance testing of VCU emissions on a once/5 year cycle. Since the last stack test was done 09/10/03, the

next test shall be done not later than 09/10/08.
Compliance testing includes demonstration that VOC emissions are below the permit limit.

Upper Permit Limit: 80 milligrams per liter
Reference Test Method: Method 25A or 25B
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 1-14: Compliance Certification
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable Federal Requirement: 40CFR 64

Item 1-14.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK2

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

Item 1-14.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Once each day, while the VCU is operating, the permittee will inspect the VCU for proper operation. Proper operation is that the pilot is lit during loading operations, and the Ultraviolet Flame Detector indicates the presence of a flame.

An excursion:
1) If product is loaded without the pilot flame being lit, an excursion has occurred.

The facility shall comply with 40 CFR 64.7 and 64.9. Records shall be maintained in accordance with Part 201-6.5(c)(1) and (c)(2).

Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 78: Petroleum fixed roof tanks - a
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 229.1(d)(2)(i)

Item 78.1:
This Condition applies to Emission Unit: 1-TANKS
Process: GAS

Item 78.2:
The tank must be retrofitted with an internal floating roof or equivalent control.

Condition 79: Internal floating roofs required in fixed roof tanks storing petroleum products
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable Federal Requirement: 6NYCRR 229.3(a)

Item 79.1:
This Condition applies to Emission Unit: 1-TANKS
Process: GAS

Item 79.2:
No person may store petroleum liquid in a fixed roof tank subject to 6 NYCRR 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.

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 80: **Contaminant List**
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable State Requirement: ECL 19-0301

Item 80.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this

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

CAS No: 000092-52-4
Name: 1, 1 BIPHENYL

CAS No: 000095-48-7
Name: 2-METHYL-PHENOL

CAS No: 000071-43-2
Name: BENZENE

CAS No: 000098-82-8
Name: BENZENE, (1-METHYLETHYL)

CAS No: 000100-41-4
Name: ETHYLBENZENE

CAS No: 0NY100-00-0
Name: HAP

CAS No: 000110-54-3
Name: HEXANE

CAS No: 001634-04-4
Name: METHYL TERTBUTYL ETHER

CAS No: 000091-20-3
Name: NAPHTHALENE

CAS No: 000540-84-1
Name: PENTANE, 2,2,4-TRIMETHYL-

CAS No: 000108-95-2
Name: PHENOL

CAS No: 000108-88-3
Name: TOLUENE

CAS No: 0NY998-00-0
Name: VOC

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

Condition 1-15: Compliance Demonstration
Effective between the dates of 12/05/2005 and 06/19/2010

Applicable State Requirement: ECL 19-0301.3b

Item 1-15.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 001634-04-4 METHYL TERTBUTYL ETHER

Item 1-15.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Methyl-tertiary butyl ether (MTBE) shall not be used as a gasoline additive.

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 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 82: Unavoidable noncompliance and violations
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable State Requirement: 6NYCRR 201-1.4

Item 82.1:
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 87: Air pollution prohibited
Effective between the dates of 06/20/2005 and 06/19/2010

Applicable State Requirement: 6NYCRR 211.2

Item 87.1:
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 88: Compliance Demonstration
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 88.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 88.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of any refinery, terminal, or bulk plant from which gasoline, subject to this Subpart, is distributed must maintain records on the gasoline that is delivered to or distributed from such facilities. These records shall include:
(1) The RVP of the gasoline if subject to section 225-3.3 of this Subpart.
(2) A designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
(3) Written certification that the gasoline:
(i) conforms with all RVP and oxygen content requirements of this Subpart; and
(ii) is in compliance with all applicable State and Federal regulations which apply during the time period(s) specified pursuant to paragraph (3)of this subdivision.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 89: Compliance Demonstration
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 89.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 89.2:
Compliance Demonstration 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 90: Records Available for Inspection
Effective between the dates of 06/20/2005 and 06/19/2010

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

Item 90.1:
Persons required to maintain records pursuant to subdivisions (a), (b) and (c) of 6 NYCRR Part 225-3.4 must make the records available for inspection during normal business hours, at the location from which the gasoline was delivered, sold, or dispensed, to the commissioner or his or her representative and must furnish copies of these records to the commissioner or his or her representative upon request. Such persons shall maintain all records and documentation required to be made or maintained in accordance with this section, including any calculations performed, for at least two years from date of delivery.