



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 4-3814-00005/00017
Mod 0 Effective Date: 01/19/2005 Expiration Date: 01/18/2010
Mod 1 Effective Date: 04/08/2009 Expiration Date: 01/18/2010

Permit Issued To: TRANSMONTAIGNE INC
PO BOX 5660
DENVER, CO 80217-5660

Contact: GARRET CLEMONS
TRANSMONTAIGNE INC
PO BOX 5660
DENVER, CO 80217-5660
(303) 626-8209

Facility: TRANSMONTAIGNE-RENSELAER TERMINAL
58 RIVERSIDE AVE
RENSELAER, NY 12144

Description:

This permit modification includes an additional emission unit that allows the facility to load distillate at the marine dock.

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 BAKER
NYSDEC
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

Authorized Signature: _____ Date: ___ / ___ / ___



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
 - Applications for permit renewals, modifications and transfers
 - Applications for Permit Renewals and Modifications
 - Permit modifications, suspensions or revocations by the Department
 - Permit Modifications, Suspensions and Revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 4 HEADQUARTERS
- Submission of application 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 1-1: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6NYCRR 621.11

Item 1-1.1:

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

Item 1-1.2:

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

Item 1-1.3:

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 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 1-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6NYCRR 621.13

Item 1-2.1:

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

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

Condition 4: Permit Modifications, Suspensions and Revocations by the Department

Applicable State Requirement: 6NYCRR 621.14

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



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

Condition 1-3: Submission of application for permit modification or renewal-REGION 4

HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.6(a)

Item 1-3.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: TRANSMONTAIGNE INC
PO BOX 5660
DENVER, CO 80217-5660

Facility: TRANSMONTAIGNE-RENSSELAER TERMINAL
58 RIVERSIDE AVE
RENSSELAER, NY 12144

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

Mod 0 Permit Effective Date: 01/19/2005

Permit Expiration Date: 01/18/2010

Mod 1 Permit Effective Date: 04/08/2009

Permit Expiration Date: 01/18/2010



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 1-2 6NYCRR 201-6.5(a)(7): Fees
- 2 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 3 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 4 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 5 6NYCRR 201-6.5(e): Compliance Certification
- 9 6NYCRR 202-2.1: Compliance Certification
- 10 6NYCRR 202-2.5: Recordkeeping requirements
- 1-3 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 1-4 6NYCRR 200.7: Maintenance of Equipment
- 1-5 6NYCRR 201-1.7: Recycling and Salvage
- 1-6 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 1-7 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 1-8 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 1-9 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 1-10 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 1-11 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 1-12 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 6 6NYCRR 202-1.1: Required Emissions Tests
- 1-13 6NYCRR 211.3: Visible Emissions Limited
- 16 40CFR 68: Accidental release provisions.
- 17 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 1 6NYCRR 201-6: Emission Unit Definition
- 1-14 6NYCRR 201-7: Facility Permissible Emissions
- *1-15 6NYCRR 201-7: Capping Monitoring Condition
- *1-16 6NYCRR 201-7: Capping Monitoring Condition
- *1-17 6NYCRR 201-7: Capping Monitoring Condition
- *1-18 6NYCRR 201-7: Capping Monitoring Condition
- 7 6NYCRR 202-1.2: Notification
- 8 6NYCRR 202-1.3(a): Acceptable procedures
- 11 6NYCRR 225-1.2(a)(2): Compliance Certification
- 12 6NYCRR 225-1.8: Compliance Certification
- 13 6NYCRR 225-3.3(a): Compliance Certification
- 14 6NYCRR 229.1(d)(2)(iv): Gasoline terminals - a
- 15 6NYCRR 229.3(d): Gasoline terminals - a

Emission Unit Level

- 18 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 19 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00001

- 20 6NYCRR 202-1.1: Compliance Certification
- 21 6NYCRR 229.3(d): Vapor collection system requirements
- 22 6NYCRR 230.4(a)(1): Compliance Certification
- 23 6NYCRR 230.4(a)(2): Repairs to gasoline transport vehicles
- 24 6NYCRR 230.4(a)(3): Labelling of gasoline transport vehicles



- 25 6NYCRR 230.4(b): Compliance Certification
- 26 6NYCRR 230.4(e): Leak limit
- 27 6NYCRR 230.4(f): Loading pressure
- 28 6NYCRR 230.4(g): Dome covers
- 29 6NYCRR 230.6(a): Compliance Certification
- 30 6NYCRR 230.6(b): Compliance Certification
- 31 40CFR 64: Compliance Certification
- 32 40CFR 64: Compliance Certification

EU=U-00002

- 33 6NYCRR 229.1(d)(2)(i): Petroleum fixed roof tanks - a
- 34 6NYCRR 229.3(a): Internal floating roofs required in fixed roof tanks storing petroleum products

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 35 ECL 19-0301: Contaminant List
- 36 ECL 19-0301.3(b): Compliance Demonstration
- 37 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 43 6NYCRR 211.2: Air pollution prohibited
- 44 6NYCRR 225-3.4(a): Compliance Demonstration
- 45 6NYCRR 225-3.4(b): Compliance Demonstration
- 46 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 - 6 NYCRR Part 201-6.5(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item 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 1-1: Acceptable Ambient Air Quality
Effective between the dates of 04/08/2009 and 01/18/2010**

Applicable Federal Requirement:6NYCRR 200.6

Item 1-1.1:

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

**Condition 1-2: Fees
Effective between the dates of 04/08/2009 and 01/18/2010**

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

Item 1-2.1:

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 2: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 01/19/2005 and 01/18/2010**

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

Item 2.1:

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 3: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 3.1:

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 4: Compliance Certification

Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 4.1:

The Compliance Certification activity will be performed for the Facility.

Item 4.2:

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 7/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 5: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

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

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:

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 1/30/2006.
Subsequent reports are due on the same day each year

Condition 9: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 202-2.1

Item 9.1:

The Compliance Certification activity will be performed for the Facility.

Item 9.2:

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 10: Recordkeeping requirements
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 202-2.5

Item 10.1:

(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 1-3: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 04/08/2009 and 01/18/2010**

Applicable Federal Requirement:6NYCRR 215

Item 1-3.1:

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 1-4: Maintenance of Equipment
Effective between the dates of 04/08/2009 and 01/18/2010**

Applicable Federal Requirement:6NYCRR 200.7

Item 1-4.1:

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 1-5: Recycling and Salvage
Effective between the dates of 04/08/2009 and 01/18/2010**

Applicable Federal Requirement:6NYCRR 201-1.7

Item 1-5.1:

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 1-6: Prohibition of Reintroduction of Collected Contaminants to the air



Effective between the dates of 04/08/2009 and 01/18/2010

Applicable Federal Requirement:6NYCRR 201-1.8

Item 1-6.1:

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

Condition 1-7: Exempt Sources - Proof of Eligibility

Effective between the dates of 04/08/2009 and 01/18/2010

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

Item 1-7.1:

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 1-8: Trivial Sources - Proof of Eligibility

Effective between the dates of 04/08/2009 and 01/18/2010

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

Item 1-8.1:

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 1-9: Standard Requirement - Provide Information

Effective between the dates of 04/08/2009 and 01/18/2010

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

Item 1-9.1:

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 1-10: General Condition - Right to Inspect
Effective between the dates of 04/08/2009 and 01/18/2010

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

Item 1-10.1:

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 1-11: Standard Requirements - Progress Reports
Effective between the dates of 04/08/2009 and 01/18/2010

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

Item 1-11.1:

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 1-12: Off Permit Changes
Effective between the dates of 04/08/2009 and 01/18/2010

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

Item 1-12.1:

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 6: Required Emissions Tests
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 202-1.1

Item 6.1:

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 1-13: Visible Emissions Limited
Effective between the dates of 04/08/2009 and 01/18/2010

Applicable Federal Requirement:6NYCRR 211.3

Item 1-13.1:

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 16: Accidental release provisions.
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:40CFR 68

Item 16.1:

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 17: Recycling and Emissions Reduction
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:40CFR 82, Subpart F

Item 17.1:

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 1: Emission Unit Definition
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 201-6

Item 1.1(From Mod 1):

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

Emission Unit: U-00006

Emission Unit Description:

Marine loading of distillates

Item 1.2(From Mod 0):

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

Emission Unit: U-00001

Emission Unit Description:

GASOLINE/DISTILLATE TANK TRUCK
SUBMERGED-FILLED LOADING RACK WITH VAPOR
COMBUSTION UNIT (VCU).

Item 1.3(From Mod 0):

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

Emission Unit: U-00002

Emission Unit Description:

INTERNAL FLOATING ROOF STORAGE TANK NOS.
1,2,3,4,5,6,17,18,21,22 STORING GASOLINE OR
LOWER VAPOR PRESSURE PETROLEUM PRODUCTS.

Item 1.4(From Mod 0):

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



Emission Unit: U-00004
 Emission Unit Description:
 PIPELINE FUGITIVE EMISSIONS

Item 1.5(From Mod 0):

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

Emission Unit: U-00005
 Emission Unit Description:
 DISTILLATE TOP LOADING RACK

Condition 1-14: Facility Permissible Emissions
Effective between the dates of 04/08/2009 and 01/18/2010

Applicable Federal Requirement:6NYCRR 201-7

Item 1-14.1:

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

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

per year	CAS No: 000071-43-2	(From Mod 1)	PTE: 19,000 pounds
	Name: BENZENE		
per year	CAS No: 000091-20-3	(From Mod 1)	PTE: 19,000 pounds
	Name: NAPHTHALENE		
per year	CAS No: 000098-82-8	(From Mod 1)	PTE: 19,000 pounds
	Name: BENZENE, (1-METHYLETHYL)		
per year	CAS No: 000100-41-4	(From Mod 1)	PTE: 19,000 pounds
	Name: ETHYLBENZENE		
per year	CAS No: 000108-38-3	(From Mod 1)	PTE: 19,000 pounds
	Name: 1,3 DIMETHYL BENZENE		
per year	CAS No: 000108-88-3	(From Mod 1)	PTE: 19,000 pounds
	Name: TOLUENE		
per year	CAS No: 000110-54-3	(From Mod 1)	PTE: 19,000 pounds
	Name: HEXANE		
per year	CAS No: 000540-84-1	(From Mod 1)	PTE: 19,000 pounds
	Name: PENTANE, 2,2,4-TRIMETHYL-		



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

CAS No: 0NY998-00-0 (From Mod 1) PTE: 169,340 pounds
per year
Name: VOC

Condition 1-15: Capping Monitoring Condition
Effective between the dates of 04/08/2009 and 01/18/2010

Applicable Federal Requirement: 6NYCRR 201-7

Item 1-15.1:

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

40CFR 63-R

Item 1-15.2:

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

Item 1-15.3:

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

Item 1-15.4:

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

Item 1-15.5:

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

Item 1-15.6:

The Compliance Certification activity will be performed for the Facility.

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

Item 1-15.7:

Compliance Certification shall include the following monitoring:



Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Distillate oil thruput shall be limited to keep individual and combined HAP emissions less than the 9.5 tons/year and 23.75 tons/year , respectively; that is less than the applicability thresholds of 40 CFR 63 Subpart R. This absolves the facility from that NESHAP.

Emissions shall be calculated using the most current emission factors, "Tanks" program, or other current emission factors in AP-42.

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: 300000000 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL TOTAL ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 12 calendar month(s).

Condition 1-16: Capping Monitoring Condition
Effective between the dates of 04/08/2009 and 01/18/2010

Applicable Federal Requirement:6NYCRR 201-7

Item 1-16.1:

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

6NYCRR 231-2

Item 1-16.2:

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

Item 1-16.3:

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

Item 1-16.4:



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

Item 1-16.5:

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

Item 1-16.6:

The Compliance Certification activity will be performed for the Facility.

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

Item 1-16.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

From Mod 5 issued 04/30/2003. Per Flowchart 4, VOC PEP (Project Emission Potential) must be greater than SSPT (Significant Source Project Threshold); that is 40 tons/year, for the facility to be subject to Part 231-2.
PEP = future potential - prior actual : $83.53 - (54.85 + 38.49) / 2$ (Calendar years 2000 and 2001 respectively) = 36.86 which is less than 40 tons/year, therefore the facility is not subject to Part 231-2.

(The actual cap has been set at 84.67 tons/year VOC future potential or 95% of the 40 ton/year threshold.)

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 1-17: Capping Monitoring Condition

Effective between the dates of 04/08/2009 and 01/18/2010

Applicable Federal Requirement: 6NYCRR 201-7

Item 1-17.1:

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



40CFR 63-R

Item 1-17.2:

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

Item 1-17.3:

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

Item 1-17.4:

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

Item 1-17.5:

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

Item 1-17.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000071-43-2	BENZENE
CAS No: 000098-82-8	BENZENE, (1-METHYLETHYL)
CAS No: 000100-41-4	ETHYLBENZENE
CAS No: 000108-38-3	1,3 DIMETHYL BENZENE
CAS No: 000108-88-3	TOLUENE
CAS No: 000110-54-3	HEXANE
CAS No: 000540-84-1	PENTANE, 2,2,4-TRIMETHYL-
CAS No: 000091-20-3	NAPHTHALENE

Item 1-17.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Gasoline thruput shall be limited to keep individual HAP emissions to less than 9.5 tons/year; that is, less than the applicability thresholds of 40 CFR 63 Subpart R. This absolves the facility from that NESHAP.

Emissions shall be calculated using the most current



emission factors, "Tanks" program, or other current emission factors in AP-42. The thruput limit was calculated using a Vapor Combustion Unit (VCU) emission rate of 12 mg/liter of gasoline loaded.

Gasoline thruput reports shall be included in the annual report.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 360000000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 1-18: Capping Monitoring Condition
Effective between the dates of 04/08/2009 and 01/18/2010

Applicable Federal Requirement:6NYCRR 201-7

Item 1-18.1:

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

40CFR 63-R

Item 1-18.2:

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

Item 1-18.3:

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

Item 1-18.4:

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

Item 1-18.5:

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



the Act.

Item 1-18.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0 HAP

Item 1-18.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Gasoline throughput limited to keep total HAP emissions less than 23.75 tons/year; that is less than the applicability threshold of 40 CFR 63 Subpart R. This absolves the facility from that NESHAP.

Emissions shall be calculated using the most current emission factors, "Tanks" program, or other current emission factors in AP-42. The throughput limit was calculated using a Vapor Combustion Unit (VCU) emission rate of 12 mg/liter of gasoline loaded.

Gasoline throughput shall be included in the annual report.

Work Practice Type: PROCESS MATERIAL THROUGHPUT

Process Material: GASOLINE

Upper Permit Limit: 360000000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 7: Notification

Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 7.1:

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 8: Acceptable procedures

Effective between the dates of 01/19/2005 and 01/18/2010



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

Item 8.1:

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 11: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 11.1:

The Compliance Certification activity will be performed for the Facility.

Item 11.2:

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 7/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 12: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 225-1.8



Item 12.1:

The Compliance Certification activity will be performed for the Facility.

Item 12.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

- a. fuel analyses and data on the quantities of all residual and distillate oil and coal received, burned or sold;
- b. the names of all purchasers of all residual and distillate oil and coal sold;
- c. any results of stack sampling, stack monitoring and other procedures used to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Fuel analyses must contain, as a minimum, data on the sulfur content, specific gravity and heating value of any residual oil, distillate oil or coal received, burned or sold. Ash content shall also be included in the fuel analyses for any residual oil or coal received, burned or sold.

These records shall be retained for a minimum period of three years. If the facility is subject to Title V requirements the minimum record retention period shall be five years. The records shall be made available for inspection by department staff during normal business hours. In addition, copies of such records shall be furnished to department staff upon request. All required sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 13: Compliance Certification

Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 13.1:

The Compliance Certification activity will be performed for the Facility.



Item 13.2:

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: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

**Condition 14: Gasoline terminals - a
Effective between the dates of 01/19/2005 and 01/18/2010**

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

Item 14.1:

The gasoline vapor collection and control systems must capture gasoline vapors during loading and unloading of gasoline transport vehicles and must condense, absorb, adsorb, or combust the gasoline vapors so emissions do not exceed 0.67pounds per 1000 gallons of gasoline loaded or unloaded. Any equivalent control system is acceptable.

**Condition 15: Gasoline terminals - a
Effective between the dates of 01/19/2005 and 01/18/2010**

Applicable Federal Requirement:6NYCRR 229.3(d)

Item 15.1:

The gasoline vapor collection and control systems must capture gasoline vapors during loading and unloading of gasoline transport vehicles and must condense, absorb, adsorb, or combust the gasoline vapors so emissions do not exceed 0.67pounds per 1000 gallons of gasoline loaded or unloaded. Any equivalent control system is acceptable.

**** Emission Unit Level ****

Condition 18: Emission Point Definition By Emission Unit



Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement: 6NYCRR 201-6

Item 18.1(From Mod 0):

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 50 Diameter (in.): 108
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Item 18.2(From Mod 0):

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

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 48 Diameter (in.): 62
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00003

Height (ft.): 48 Diameter (in.): 62
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00004

Height (ft.): 48 Diameter (in.): 56
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00005

Height (ft.): 48 Diameter (in.): 42
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00006

Height (ft.): 48 Diameter (in.): 30
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00007

Height (ft.): 48 Diameter (in.): 62
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00008

Height (ft.): 48 Diameter (in.): 75
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00009

Height (ft.): 48 Diameter (in.): 90
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00010

Height (ft.): 40 Diameter (in.): 110
NYTMN (km.): 4718.7 NYTME (km.): 602.3



Emission Point: 00011
Height (ft.): 42 Diameter (in.): 160
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Condition 19: Process Definition By Emission Unit
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 201-6

Item 19.1(From Mod 1):

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

Emission Unit: U-00006
Process: E25 Source Classification Code: 4-06-002-51
Process Description: Marine loading of distillates.

Emission Source/Control: 0000B - Process

Item 19.2(From Mod 0):

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

Emission Unit: U-00001
Process: 001 Source Classification Code: 4-06-001-31
Process Description: GASOLINE TANK TRUCK SUBMERGED-FILL LOADING/VCU.

Emission Source/Control: 00001 - Control
Control Type: FLARING

Emission Source/Control: 0001A - Process

Item 19.3(From Mod 0):

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

Emission Unit: U-00001
Process: E15 Source Classification Code: 4-06-001-35
Process Description:

DISTILLATE OIL TANK TRUCK SUBMERGED-FILL
LOADING/VCU.

Emission Source/Control: 00001 - Control
Control Type: FLARING

Emission Source/Control: 00E15 - Process

Item 19.4(From Mod 0):

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

Emission Unit: U-00001
Process: E16 Source Classification Code: 4-06-001-29
Process Description: KEROSENE TANK TRUCK SUBMERGED-FILL
LOADING/VCU.



Emission Source/Control: 00001 - Control
Control Type: FLARING

Emission Source/Control: 00E16 - Process

Item 19.5(From Mod 0):

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

Emission Unit: U-00001
Process: E22 Source Classification Code: 4-04-001-54
Process Description: TANK TRUCK TRANSIT LOSSES.

Emission Source/Control: 00E22 - Process

Item 19.6(From Mod 0):

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

Emission Unit: U-00002
Process: 003 Source Classification Code: 4-03-011-51
Process Description:
GASOLINE STANDING LOSSES FOR STORAGE TANK
NOS. 1,2,3,4,5,6, 17,18,21,22

Emission Source/Control: 00002 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00003 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00004 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00005 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00006 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00007 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00008 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00009 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00010 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00011 - Control
Control Type: FLOATING ROOF



Emission Source/Control: 00010 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 00011 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 0002A - Process

Emission Source/Control: 0003A - Process

Emission Source/Control: 0004A - Process

Emission Source/Control: 0005A - Process

Emission Source/Control: 0006A - Process

Emission Source/Control: 0007A - Process

Emission Source/Control: 0008A - Process

Emission Source/Control: 0009A - Process

Emission Source/Control: 0010A - Process

Emission Source/Control: 0011A - Process

Item 19.8(From Mod 0):

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

Emission Unit: U-00004
Process: E11 Source Classification Code: 4-04-001-51
Process Description: FUGITIVES FROM VALVES, FLANGES, PUMPS, ETC.

Emission Source/Control: 00E11 - Process

Item 19.9(From Mod 0):

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

Emission Unit: U-00005
Process: E23 Source Classification Code: 4-06-001-40
Process Description: DIESEL TOP LOADING TRUCK RACK

Emission Source/Control: 00E23 - Process

Item 19.10(From Mod 0):

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

Emission Unit: U-00005
Process: E24 Source Classification Code: 4-06-001-39
Process Description: KEROSENE TOP LOADING TRUCK RACK.

Emission Source/Control: 00E24 - Process



Condition 20: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 202-1.1

Item 20.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 20.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The flare shall be stack tested every 5 years. Since the last test was 03/27/01, the next test shall be done by 03/27/06. This test shall confirm compliance with 40 CFR 64.4(c)(1). The test shall be done after approval of the protocol (protocol approval by NYSDEC takes about 90 days). Coordination must be made with the NYSDEC Region 4 Office to ensure NYSDEC witnesses the test. See separate permit conditions under Part 202-1 concerning acceptable test procedures (protocol) and test report submittal.

Upper Permit Limit: 80 milligrams per liter

Reference Test Method: 40 CFR 60, Appendix A

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 7/30/2005.

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

Condition 21: Vapor collection system requirements
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 229.3(d)

Item 21.1:

This Condition applies to Emission Unit: U-00001

Item 21.2:

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 22: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement: 6NYCRR 230.4(a)(1)

Item 22.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 22.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a gasoline transport vehicle subject to this Part will allow said vehicle to be filled or emptied unless the gasoline transport vehicle sustains a pressure change of not more than three inches of water in five minutes when pressurized to a gauge pressure of 18 inches of water and evacuated to a gauge pressure of six inches of water.

Manufacturer Name/Model Number: Gasoline Transport Vehicle

Parameter Monitored: PRESSURE CHANGE

Upper Permit Limit: 3.0 inches of water

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 23: Repairs to gasoline transport vehicles
Effective between the dates of 01/19/2005 and 01/18/2010



Applicable Federal Requirement:6NYCRR 230.4(a)(2)

Item 23.1:

This Condition applies to Emission Unit: U-00001

Item 23.2:

No owner or operator of a gasoline transport vehicle subject to 6 NYCRR Part 230 will allow said vehicle to be filled or emptied unless the gasoline transport vehicle is repaired by the owner or operator within 15 days after failing to meet the pressure change standard in paragraph 230.4(a)(1) of 6 NYCRR Part 230.

**Condition 24: Labelling of gasoline transport vehicles
Effective between the dates of 01/19/2005 and 01/18/2010**

Applicable Federal Requirement:6NYCRR 230.4(a)(3)

Item 24.1:

This Condition applies to Emission Unit: U-00001

Item 24.2:

No owner or operator of a gasoline transport vehicle subject to 6 NYCRR Part 230 will allow said vehicle to be filled or emptied unless the gasoline transport vehicle displays a marking, near the U.S. Department of Transportation certificate plate, in letters and numerals at least two inches high, which reads: NYS DEC and the date on which the gasoline transport vehicle was last tested.

**Condition 25: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010**

Applicable Federal Requirement:6NYCRR 230.4(b)

Item 25.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

All gasoline transport vehicles subject to this Part must be tested annually by the owner or his agent, using test methods acceptable to the commissioner. If the pressure-vacuum test does not show compliance with the pressure change standard, the gasoline transport vehicle must be repaired to make the tank vapor-tight, and retested.

Parameter Monitored: PRESSURE CHANGE

Upper Permit Limit: 3.0 inches of water



Reference Test Method: EPA Method 27

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 26: Leak limit
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 230.4(e)

Item 26.1:

This Condition applies to Emission Unit: U-00001

Item 26.2:

Leakage of vapors from any component of the gasoline transport vehicle or the vapor collection and control system must not equal or exceed 100 percent of the lower explosive limit measured as propane during the loading of a gasoline transport vehicle. No avoidable visible liquid leak from such components is allowed, including all piping, seals, hoses, connections, pressure-vacuum seals, and other possible leak sources.

Condition 27: Loading pressure
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 230.4(f)

Item 27.1:

This Condition applies to Emission Unit: U-00001

Item 27.2:

Gasoline must not be loaded under a gauge pressure exceeding 18 inches of water.

Condition 28: Dome covers
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 230.4(g)

Item 28.1:

This Condition applies to Emission Unit: U-00001

Item 28.2:

Dome covers on gasoline transport vehicles must be closed while the transport vehicle is being loaded.

Condition 29: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 230.6(a)

Item 29.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001



Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner of any gasoline transport vehicle subject to this Part must maintain records of pressure-vacuum testings and repairs. The records must include the identity of the gasoline transport vehicle, the results of the testing, the date that the testing and repairs, as needed, were done, the nature of needed repairs and the date of retests where appropriate.

Testing records must be retained for two years and must be made available to the Department on request at any reasonable time.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 30: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 230.6(b)

Item 30.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A copy of the most recent pressure-vacuum test results, in a form acceptable to the commissioner, must be kept with the gasoline transport vehicle.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 31: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:40CFR 64



Item 31.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

WHEN ON, THE FLARE SHALL USE A ULTRAVIOLET FLAME DETECTOR (UFD) TO CONTINUOUSLY MONITOR FOR THE PRESENCE OF A FLAME DURING LOADING.

IF THE UFD SIGNALS NO FLAME, THE LOADING RACK SHALL BE AUTOMATICALLY SHUTDOWN. PLANT PERSONNEL WILL IMMEDIATELY INVESTIGATE THE PROBLEM AND EXPEDITE REPAIRS TO THE FLARE IF NECESSARY. NO GASOLINE SHALL BE LOADED INTO TRUCKS, EXCEPT DURING MALFUNCTION AS PROVIDED IN PART 201-1.4 AND AUTHORIZED BY NYSDEC.

THE FOLLOWING SHALL BE DONE MANUALLY ONCE EVERY 24 HOURS (PURSUANT 40 CFR 64.3 (b)(4)(iii) AND 64.7(c)) WHEN A TRUCK IS BEING LOADED WITH GASOLINE AND SHALL BE ENTERED IN A LOG:

- 1) THE FLARE WILL BE PHYSICALLY CHECKED FOR THE PRESENCE OF A FLAME
- 2) THE FLARE WILL BE PHYSICALLY CHECKED FOR BYPASS

AN EXCURSION:

- 1) IF SIGNAL GENERATED BY UFD INDICATES THAT THE FLAME IS PRESENT AND FLAME IS ACTUALLY NOT PRESENT
- 2) IF SIGNAL GENERATED BY UFD INDICATES THAT THE FLAME IS NOT PRESENT AND FLAME IS ACTUALLY PRESENT
- 3) IF NO SIGNAL IS GENERATED BY THE UFD
- 4) IF THERE IS A BYPASS OF THE FLARE

THE FACILITY SHALL COMPLY WITH 40 CFR 64.7 AND 64.9. 40 CFR 64.9(a)(2)(ii)



REQUIRES THAT SUMMARY INFORMATION ON MONITOR (UFD) DOWN TIME (IN ADDITION TO SUMMARY INFORMATION ON EXCEEDANCES REPORTED UNDER 64.9(a)(2)(i)) BE INCLUDED WITH THE SEMI ANNUAL REPORT. RECORDS SHALL BE MAINTAINED IN ACCORDANCE WITH 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 7/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 32: Compliance Certification
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:40CFR 64

Item 32.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

TO COMPLY WITH 40 CFR 64.3(b)(3), AN INDIVIDUAL, SPECIALIZING IN VCU MAINTENANCE, SHALL PERFORM PREVENTIVE MAINTENANCE AT THE FREQUENCY STATED BELOW. A COMPANY EMPLOYEE, SPECIALIZING IN VCU MAINTENANCE, MAY DO THIS PREVENTATIVE MAINTENANCE, SO LONG AS HE HAS BEEN TRAINED IN THE LAST 5 YEARS.

THE FACILITY SHALL COMPLY WITH 40 CFR 64.7 AND 64.9. RECORDS 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 7/30/2005.
Subsequent reports are due every 6 calendar month(s).



Condition 33: Petroleum fixed roof tanks - a
Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 33.1:

This Condition applies to Emission Unit: U-00002

Item 33.2:

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

Condition 34: Internal floating roofs required in fixed roof tanks
storing petroleum products
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable Federal Requirement:6NYCRR 229.3(a)

Item 34.1:

This Condition applies to Emission Unit: U-00002

Item 34.2:

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 35: Contaminant List
Effective between the dates of 01/19/2005 and 01/18/2010**

Applicable State Requirement:ECL 19-0301

Item 35.1:

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

CAS No: 000071-43-2

Name: BENZENE

CAS No: 000091-20-3



Name: NAPHTHALENE

CAS No: 000098-82-8

Name: BENZENE, (1-METHYLETHYL)

CAS No: 000100-41-4

Name: ETHYLBENZENE

CAS No: 000108-38-3

Name: 1,3 DIMETHYL BENZENE

CAS No: 000108-88-3

Name: TOLUENE

CAS No: 000110-54-3

Name: HEXANE

CAS No: 000540-84-1

Name: PENTANE, 2,2,4-TRIMETHYL-

CAS No: 001634-04-4

Name: METHYL TERTBUTYL ETHER

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY998-00-0

Name: VOC

Condition 36: Compliance Demonstration
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable State Requirement:ECL 19-0301.3(b)

Item 36.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 001634-04-4 METHYL TERTBUTYL ETHER

Item 36.2:

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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.



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

**Condition 37: Unavoidable noncompliance and violations
Effective between the dates of 01/19/2005 and 01/18/2010**

Applicable State Requirement:6NYCRR 201-1.4

Item 37.1:

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 43: Air pollution prohibited
Effective between the dates of 01/19/2005 and 01/18/2010

Applicable State Requirement:6NYCRR 211.2

Item 43.1:

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 44: Compliance Demonstration
Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 44.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 44.2:

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 7/30/2005.

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



Condition 45: Compliance Demonstration
Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 45.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 45.2:

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 7/30/2005.

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

Condition 46: Records Available for Inspection
Effective between the dates of 01/19/2005 and 01/18/2010

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

Item 46.1:

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

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st two years from date of delivery.