PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 4-3814-00005/00017
Effective Date: 12/03/2010 Expiration Date: 12/02/2015

Permit Issued To:SPRAGUE ENERGY CORP
2 INTERNATIONAL DR - STE 200
PORTSMOUTH, NH 03801

Contact: KEVIN J KICKHAM
PO BOX 5660
DENVER, CO 80217-5660
(303) 626-8200

Facility: SPRAGUE ENERGY CORP
58 RIVERSIDE AVE
RENSSELAER, NY 12144

Description:
Title V Permit Renewal.

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
Permit modifications, suspensions or revocations by the Department
Facility Level
Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS

DEC GENERAL CONDITIONS
****** General Provisions ******
For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:SPRAGUE ENERGY CORP
2 INTERNATIONAL DR - STE 200
PORTSMOUTH, NH 03801

Facility: SPRAGUE ENERGY CORP
58 RIVERSIDE AVE
RENSSELAER, NY 12144

Authorized Activity By Standard Industrial Classification Code:
4226 - SPECIAL WAREHOUSING & STORAGE
5171 - PETROLEUM BULK STATIONS & TERMINALS

Permit Effective Date: 12/03/2010 Permit Expiration Date: 12/02/2015

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level

1 6 NYCRR 200.6: Acceptable Ambient Air Quality
2 6 NYCRR 201-6.5 (a) (7): Fees
3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
6 6 NYCRR 202-2.1: Compliance Certification
7 6 NYCRR 202-2.5: Recordkeeping requirements
8 6 NYCRR 215.2: Open Fires - Prohibitions
9 6 NYCRR 200.7: Maintenance of Equipment
10 6 NYCRR 201-1.7: Recycling and Salvage
11 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
12 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
13 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
14 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
15 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
16 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
17 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
18 6 NYCRR 202-1.1: Required Emissions Tests
19 6 NYCRR 211.3: Visible Emissions Limited
20 40 CFR Part 68: Accidental release provisions.
21 40CFR 82, Subpart F: Recycling and Emissions Reduction
22 6 NYCRR Subpart 201-6: Emission Unit Definition
23 6 NYCRR 201-6.5 (e): Compliance Certification
24 6 NYCRR Subpart 201-7: Facility Permissible Emissions
*25 6 NYCRR Subpart 201-7: Capping Monitoring Condition
*26 6 NYCRR Subpart 201-7: Capping Monitoring Condition
*27 6 NYCRR Subpart 201-7: Capping Monitoring Condition
*28 6 NYCRR Subpart 201-7: Capping Monitoring Condition
*29 6 NYCRR Subpart 201-7: Capping Monitoring Condition
30 6 NYCRR 202-1.2: Notification
31 6 NYCRR 202-1.3 (a): Acceptable procedures
32 6 NYCRR 225-1.2 (a) (2): Compliance Certification
33 6 NYCRR 225-1.8: Compliance Certification
34 6 NYCRR 225-3.3 (a): Compliance Certification
35 6 NYCRR 229.1 (d) (2) (iv): Gasoline terminals - a
36 40CFR 63.11081(a), Subpart BBBBBB: Definition of an affected source
37 40CFR 63.11083(b), Subpart BBBBBB: Compliance date for an existing source
38 40CFR 63.11095(a), Subpart BBBBBB: Compliance Certification
39 40CFR 63.11098, Subpart BBBBBB: Applicability of MACT General Provisions

Emission Unit Level

40 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
41 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

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42 6 NYCRR 230.4 (e): Leak limit
43 6 NYCRR 230.4 (f): Loading pressure
44 6 NYCRR 230.4 (g): Dome covers
45 40CFR 63.11088, Subpart BBBBBB: Compliance Certification
46 40CFR 63.11089, Subpart BBBBBB: Compliance Certification
47 40CFR 63.11092(a), Subpart BBBBBB: Compliance Certification
48 40CFR 63.11092(a)(3), Subpart BBBBBB: Waiver of new testing requirement due to previous test conducted within 5 prior year period
49 40CFR 63.11092(b)(1)(iii), Subpart BBBBBB: Compliance Certification
50 40CFR 63.11094(b), Subpart BBBBBB: Compliance Certification
51 40CFR 63.11094(c), Subpart BBBBBB: Compliance Certification
52 40CFR 63.11094(d), Subpart BBBBBB: Compliance Certification
53 40CFR 63.11094(e), Subpart BBBBBB: Compliance Certification
54 40CFR 63.11094(f), Subpart BBBBBB: Compliance Certification
55 40CFR 63.11095(b), Subpart BBBBBB: Compliance Certification
56 40 CFR Part 64: Compliance Certification
57 40 CFR Part 64: Compliance Certification

EU=U-00002

58 6 NYCRR 229.1 (d) (2) (i): Petroleum fixed roof tanks - a
59 6 NYCRR 229.3 (a): Internal floating roofs required in fixed roof tanks storing petroleum products
60 40CFR 63.11087, Subpart BBBBBB: Compliance Certification
61 40CFR 63.11092(a)(2), Subpart BBBBBB: Waiver of new performance test requirement by complying with state rule

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level

62 ECL 19-0301: Contaminant List
63 ECL 19-0301 (3) (b): Compliance Demonstration
64 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
65 6 NYCRR 211.2: Air pollution prohibited

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 - 6 NYCRR 201-1.5

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is

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

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

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

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

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

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

Item L: **Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York

(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: **Federally Enforceable Requirements - 40 CFR 70.6 (b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

Condition 1: **Acceptable Ambient Air Quality**
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: **Fees**
Effective between the dates of 12/03/2010 and 12/02/2015

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

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

Condition 3: **Recordkeeping and reporting of compliance monitoring**
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 3.1:

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

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii)The company or entity that performed the analyses;

(iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;

(v) The results of such analyses including quality assurance data where required; and

(vi) The operating conditions as existing at the time of sampling or measurement.

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

Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 4.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 5.1:
The Compliance Certification activity will be performed for the Facility.

Item 5.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum

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

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

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

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

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

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

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

written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

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

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

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

Monitoring Frequency: SEMI-ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 6: **Compliance Certification**
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 202-2.1

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

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
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 7: **Recordkeeping requirements**
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 7.1:
(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 8: **Open Fires - Prohibitions**
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 215.2

Item 8.1:
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 8.2
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:
(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter

and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
(b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
(c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
(d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
(e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
(f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
(i) Prescribed burns performed according to Part 194 of this Title.
(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

Condition 9: Maintenance of Equipment
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 200.7

Item 9.1:
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 10: Recycling and Salvage
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 10.1:
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 11: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 11.1:
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 12: Exempt Sources - Proof of Eligibility
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 12.1:
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 13: Trivial Sources - Proof of Eligibility
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 13.1:
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 14: Standard Requirement - Provide Information
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 14.1:
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 15: General Condition - Right to Inspect
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 15.1:
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 16: Standard Requirements - Progress Reports
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 16.1:
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 17: Off Permit Changes
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 17.1:
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 18: Required Emissions Tests
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 18.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 19: Visible Emissions Limited
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 211.3

Item 19.1:
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 20: Accidental release provisions.
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:40 CFR Part 68

Item 20.1:
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 21: Recycling and Emissions Reduction
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:40CFR 82, Subpart F

Item 21.1:
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 22: Emission Unit Definition
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1:
The facility is authorized to perform regulated processes under this permit for:

Emission Unit: U-00001
Emission Unit Description:
Gasoline/distillate or lower vapor pressure petroleum liquid, tank truck submerged filled loading rack with vapor combustion unit (VCU). Petroleum liquid is defined in 6 NYCRR 229.2(b)(17) as "Any crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery whose true vapor pressure is between 1.5 and 12 psia (10.5-83 kilopascals) at 70° F. Petroleum liquids do not include Nos. 2 through 6 fuel oils or those volatile organic compounds which are given an environmental rating of A pursuant to Part 212 of this Title."

Item 22.2:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00002
Emission Unit Description:
Internal floating roof storage tank numbers 1,2,3,4,5,6,17,18,21,22 storing Gasoline/distillate or lower vapor pressure petroleum liquid. Petroleum liquid is defined in 6 NYCRR 229.2(b)(17) as "Any crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery whose true vapor pressure is between 1.5 and 12 psia (10.5-83 kilopascals) at 70° F. Petroleum liquids do not include Nos. 2 through 6 fuel oils or those volatile organic compounds which are given an environmental rating of A pursuant to Part 212 of this Title."

Item 22.3:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00004
Emission Unit Description:
Pipeline fugitive emissions.

Item 22.4:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00005
Emission Unit Description:
Distillate top loading rack.

Item 22.5:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00006
Emission Unit Description:
Marine loading of distillates.

Condition 23: Compliance Certification
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 23.1:
The Compliance Certification activity will be performed for the Facility.

Item 23.2:
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:

1130 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 1/30/2011.
Subsequent reports are due on the same day each year

Condition 24: Facility Permissible Emissions
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 24.1:
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following
Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000071-43-2 PTE: 19,000 pounds per year
Name: BENZENE

CAS No: 000091-20-3 PTE: 19,000 pounds per year
Name: NAPHTHALENE

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

CAS No: 000100-41-4 PTE: 19,000 pounds per year
Name: ETHYLBENZENE

CAS No: 000108-88-3 PTE: 19,000 pounds per year

Name: TOLUENE

CAS No: 000110-54-3 PTE: 19,000 pounds per year
Name: HEXANE

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

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

CAS No: 0NY100-00-0 PTE: 47,500 pounds per year
Name: HAP

CAS No: 0NY998-00-0 PTE: 169,340 pounds per year
Name: VOC

Condition 25: Capping Monitoring Condition
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 25.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

40 CFR Part 63, Subpart R

Item 25.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 25.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 25.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 25.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of

the Act.

Item 25.6:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 000071-43-2	BENZENE
CAS No: 000091-20-3	NAPHTHALENE
CAS No: 000098-82-8	BENZENE, (1-METHYLETHYL)
CAS No: 000100-41-4	ETHYLBENZENE
CAS No: 000108-88-3	TOLUENE
CAS No: 000110-54-3	HEXANE
CAS No: 000540-84-1	PENTANE, 2,2,4-TRIMETHYL-
CAS No: 001330-20-7	XYLENE, M, O & P MIXT.
CAS No: 0NY100-00-0	HAP

Item 25.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:

The emission rate of the vapor combustion unit shall be limited to keep total HAP emissions below 23.75 tons/year and keep individual HAP emissions below 9.5 tons/year which is less than the applicability thresholds of 40 CFR 63, Subpart R.

Facility wide emissions were determined using the most current AP-42 emission factors and "TANKS" program. The throughput limits were calculated using a Vapor Combustion Unit (VCU) emission rate of 12 milligrams per liter.

The vapor recovery unit shall be tested with the report submitted to Department within 180 days after permit renewal issue date, if testing is not possible due product availability the facility shall attain a stack test waiver from the Department. This test is done to determine if the vapor combustion unit achieves the 12 milligrams per liter limit. The test shall be conducted in accordance with the procedures described in 6 NYCRR 202-1.

Parameter Monitored: 40 CFR 60-63 - TOTAL ORGANIC COMPOUNDS (TOC)
Upper Permit Limit: 12 milligrams per liter
Reference Test Method: Method 25A or 25B, Method 21, Method 2A
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -

SEE MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 26: Capping Monitoring Condition
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 26.1:
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:

40 CFR Part 63, Subpart R

Item 26.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 26.3:
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 26.4:
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 26.5:
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 26.6:
The Compliance Certification activity will be performed for the Facility.

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

Item 26.7:
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.

Emssions 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 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 27: Capping Monitoring Condition
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 27.1:
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:

6 NYCRR Subpart 231-2

Item 27.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 27.3:
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 27.4:

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 27.5:
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 27.6:
The Compliance Certification activity will be performed for the Facility.

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

Item 27.7:
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 of 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 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 28: Capping Monitoring Condition
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 28.1:
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:

40 CFR Part 63, Subpart R

Item 28.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 28.3:
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 28.4:
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 28.5:
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 28.6:
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: 000108-88-3	TOLUENE
CAS No: 000110-54-3	HEXANE
CAS No: 000540-84-1	PENTANE, 2,2,4-TRIMETHYL-
CAS No: 001330-20-7	XYLENE, M, O & P MIXT.
CAS No: 000091-20-3	NAPHTHALENE

Item 28.7:
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 faciltiy from that NESHAP.

Emssions 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 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 29: Capping Monitoring Condition
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 29.1:
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:

40 CFR Part 63, Subpart R

Item 29.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 29.3:
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 29.4:
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 29.5:
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 29.6:
The Compliance Certification activity will be performed for the Facility.

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

Item 29.7:
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.

Emssions 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 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 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 30: Notification
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 202-1.2

Item 30.1:
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 31: Acceptable procedures
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 31.1:
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 32: Compliance Certification
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 32.1:
The Compliance Certification activity will be performed for the Facility.

Item 32.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: 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 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 33: Compliance Certification
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 225-1.8

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

Item 33.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 34: Compliance Certification
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 34.1:
The Compliance Certification activity will be performed for the Facility.

Item 34.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: 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 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 35: Gasoline terminals - a
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 35.1:
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 36: Definition of an affected source
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11081(a), Subpart BBBBBB

Item 36.1:
This Condition applies to:

Emission Unit: U00001

Emission Unit: U00002

Item 36.2:
The affected source to which subpart BBBBBB applies is each area source bulk gasoline terminal, pipeline breakout station, pipeline pumping station, and bulk gasoline plant as identified below:

1) A bulk gasoline terminal that is not subject to the control requirements of 40CFR63, Subpart R or 40CFR63, Subpart CC.

2) A pipeline breakout station that is not subject to the control requirements of 40CFR63, subpart R.

3) A pipeline pumping station.

4) A bulk gasoline plant.

Condition 37: Compliance date for an existing source
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11083(b), Subpart BBBBBB

Item 37.1:
This Condition applies to:

Emission Unit: U00001

Emission Unit: U00002

Item 37.2:
An existing affected source must comply with the standards of this subpart no later than January 10, 2011.

Condition 38: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11095(a), Subpart BBBBBB

Item 38.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00001

Emission Unit: U-00002

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

Item 38.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each facility with a bulk terminal or pipeline breakout station that is subject to control requirements of subpart BBBBBB shall include in a semiannual compliance report the following information, as applicable:

1) For storage vessels, if the facility is complying with options 2(a), 2(b), or 2(c) in table 1 of subpart BBBBBB, the informations specified in §60.115b(a), §60.115b(b), or §60.115b(c), depending upon the control equipment installed, or, if the facility is complying with option 2(d) in table 1 of subpart BBBBBB, the information specified in §63.1066.

2) For loading racks, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.

3) For equipment leak inspections, the number of equipment leaks not repaired within 15 days after detection.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 39: Applicability of MACT General Provisions
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11098, Subpart BBBBBB

Item 39.1:
This Condition applies to:

Emission Unit: U00001

Emission Unit: U00002

Item 39.2:
Table 3 of subpart BBBBBB lists which parts of the general provisions in subpart A apply to the facility.

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

Condition 40: Emission Point Definition By Emission Unit
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 40.1:
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 40.2:
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.): 744
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00003
Height (ft.): 48 Diameter (in.): 744
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00004
Height (ft.): 48 Diameter (in.): 672
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00005
Height (ft.): 48 Diameter (in.): 504
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00006
Height (ft.): 48 Diameter (in.): 744
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00007
Height (ft.): 48 Diameter (in.): 900
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00008
Height (ft.): 48 Diameter (in.): 1080
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00009
Height (ft.): 48 Diameter (in.): 1320
NYTMN (km.): 4718.7 NYTME (km.): 602.3

Emission Point: 00010
Height (ft.): 40 Diameter (in.): 1920
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 41: Process Definition By Emission Unit
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 41.1:
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 or lower vapor pressure petroleum liquid tank truck submerged fill loading / VCU. Petroleum liquid is defined in 6 NYCRR 229.2(b)(17) as "Any crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery whose true vapor pressure is between 1.5 and 12 psia (10.5-83 kilopascals) at 70° F. Petroleum liquids do not include Nos. 2 through 6 fuel oils or those volatile organic compounds which are given an environmental rating of A pursuant to Part 212 of this Title."

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

Emission Source/Control: 0001A - Process

Item 41.2:
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.

Emission Source/Control: 00E15 - Process

Item 41.3:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: E16 Source Classification Code: 4-06-001-34
Process Description: Kerosene tank truck submerged fill loading.

Emission Source/Control: 00E16 - Process

Item 41.4:
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 41.5:
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 or lower vapor pressure petroleum liquid standing losses for storage Tank numbers 1,2,3,4,5,6,17,18,21,22. Petroleum liquid is defined in 6 NYCRR 229.2(b)(17) as "Any crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery whose true vapor pressure is between 1.5 and 12 psia (10.5-83 kilopascals) at 70° F. Petroleum liquids do not include Nos. 2 through 6 fuel oils or those volatile organic compounds which are given an environmental rating of A pursuant to Part 212 of this Title."

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: 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 41.6:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: E04 Source Classification Code: 4-03-011-97
Process Description:
Gasoline or lower vapor pressure petroleum liquid working losses for storage tank numbers 1,2,3,4,5,6,17,18,21,22. Petroleum liquid is defined in 6 NYCRR 229.2(b)(17) as "Any crude oil, condensate, and any finished or intermediate products manufactured or extracted in a petroleum refinery whose true vapor pressure is between 1.5 and 12 psia (10.5-83 kilopascals) at 70° F. Petroleum liquids do not include Nos. 2 through 6 fuel oils or those volatile organic compounds which are given an environmental rating of A pursuant to Part 212 of this Title."

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: 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 41.7:
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 41.8:
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:
Distillate or lower vapor pressure petroleum liquid top loading truck rack.

Emission Source/Control: 00E23 - Process

Item 41.9:
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

Item 41.10:
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 or lower vapor pressure petroleum liquid.

Emission Source/Control: 0000B - Process

Condition 42: Leak limit
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 230.4 (e)

Item 42.1:
This Condition applies to Emission Unit: U-00001

Item 42.2:
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 43: Loading pressure
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 230.4 (f)

Item 43.1:
This Condition applies to Emission Unit: U-00001

Item 43.2:

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

Condition 44: Dome covers
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 230.4 (g)

Item 44.1:
This Condition applies to Emission Unit: U-00001

Item 44.2:
Dome covers on gasoline transport vehicles must be closed while the transport vehicle is being loaded.

Condition 45: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11088, Subpart BBBBBB

Item 45.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 45.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner and/or operator of a gasoline loading rack having a throughput of greater than or equal to 250,000 gallons/day, shall be subject to the following requirements:

a) Equip the loading rack(s) with a vapor collection system designed to collect the TOC vapors displaced from cargo tanks during product loading; and
b) Reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack; and
c) Design and operate the vapor collection system to prevent any TOC vapors collected at one loading rack from passing to another loading rack; and
d) Limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in §60.502(e)-(j). For the purposes of this condition, the term "tank truck' as used in §60.502(e)-(j) means "cargo tank" as defined in subpart BBBBBB in §63.11100.

The facility shall comply with the requirements of subpart BBBBBB by the applicable dates specified in §63.11083.

The facility must comply with the testing and monitoring requirements specified in §63.11092(a).

The facility must keep records and submit reports as specified in §63.11094 and 11095.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 46: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11089, Subpart BBBBBB

Item 46.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 46.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Each owner/operator of a bulk gasoline terminal, bulk plant, pipeline breakout station, or pipeline pumping station subject to the provisions of subpart BBBBBB shall perform a monthly leak inspection of all equipment in gasoline service, as defined in §63.11100. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.

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

Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial

attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in §63.11089(d).

Delay of repair of leaking equipment will be allowed if the repair is not feasible within 15 days. The owner or operator shall provide in the semiannual report specified in §63.11095(b), the reason(s) why the repair was not feasible and the date each repair was completed.

The facility must comply with the requirements of subpart BBBBBB by the applicable dates in §63.11083.

The facility must submit the applicable notifications as required under §63.11093.

The facility must keep records and submit reports as specified in §63.11094 and 63.11095.

Monitoring Frequency: MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 47: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11092(a), Subpart BBBBBB

Item 47.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 47.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
The owner and/or operator of a facility subject to the emission standard in §63.11088 for gasoline loading racks must conduct a performance test on the vapor processing and collection systems according to either of the following methods;

- test methods and procedures in §60.503, except a reading

of 500ppm shall be used to determine the level of leaks to be repaired under §60.503(b), or;

- alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).

Upper Permit Limit: 80 milligrams per liter
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 48: Waiver of new testing requirement due to previous test conducted within 5 prior year period
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11092(a)(3), Subpart BBBBBB

Item 48.1:
This Condition applies to Emission Unit: U-00001

Item 48.2:
If the facility has conducted a performance test on the vapor processing and collection systems within 5 years prior to January 10, 2008, and the test is for the affected facility and is representative of current or anticipated operating processes and conditions, the facility may submit the results of such testing in lieu of the test required under §63.11092(a)(1), provided the testing was conducted using the test methods and procedures in §60.503.

Should USEPA deem the prior test data unacceptable, the facility is still required to meet the requirement to conduct an initial performance test within 180 days of the applicable compliance date in §63.11083.

Condition 49: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11092(b)(1)(iii), Subpart BBBBBB

Item 49.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

For each performance test conducted under §63.11092(a)(1), the owner/operator must determine a monitored operating parameter value for any thermal oxidation system other than a flare using one of the following procedures:

(A) A continuous parameter monitoring system (CPMS) capable of measuring temperature shall be installed in the firebox or in the ductwork immediately downstream from the firebox in a position before any substantial heat exchange occurs.

(B) As an alternative, the facility may choose to meet the requirements listed below:

(1) The presence of a thermal oxidation system pilot flame shall be monitored using a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, installed in proximity to the pilot light to indicate the presence of a flame.

(2) Develop and submit to NYSDEC a monitoring and inspection plan that describes the facility's approach for meeting the following requirements:

- The thermal oxidation system shall be equipped to automatically prevent gasoline loading operations from beginning at any time that the pilot flame is absent.
- The facility shall verify, during each day of operation of the loading rack, the proper operation of the assist-air blower, the vapor line valve, and the emergency shutdown system. Verification shall be through visual observation or through an automated alarm or shutdown system that monitors and records system operation.
- The facility shall perform semi-annual preventive maintenance inspections of the thermal oxidation system according to the recommendations of the manufacturer of the system.
- The monitoring plan developed above shall specify conditions that would be considered malfunctions of the thermal oxidation system during the inspections or automated monitoring performed as stated above, describe specific corrective actions that will be taken to correct any malfunction, and define what the facility would consider to be a timely repair for each potential malfunction.
- The facility shall document any system malfunction, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with a written entry into a log book or other permanent form or record. Such record shall also include a description of the corrective action taken and whether such corrective

actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded during the period of the malfunction.

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

Condition 50: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11094(b), Subpart BBBBBB

Item 50.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 50.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility shall keep records of the test results for each gasoline cargo tank loading at the facility as specified below:

1) Annual certification testing performed under §63.11092(f)(1) and periodic railcar bubble leak testing performed under §63.11092(f)(2).

2) The documentation file shall be kept up-to-date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information:

- Name of Test: Annual Certification Test - Method 27 or Periodic Railcar Bubble Leak Test Procedure.
- Cargo tank owner's name and address
- Cargo tank identification number
- Test location and date
- Tester name and signature
- Witnessing inspector, if any: name, signature, affiliation
- Vapor tightness repair: Nature of repair work and when performed in relation to vapor tightness testing
- Test results: Test pressure, pressure or vacuum change,

mm of water; time period of test; number of leaks found with instrument; and leak definition

3) If the facility is complying with the alternative requirements in §63.11088(b), the facility must keep records documenting that the facility has verified the vapor tightness testing according to the requirements of EPA.

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

Condition 51: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11094(c), Subpart BBBBBB

Item 51.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 51.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in §63.11094(b), the facility may keep an electronic copy of each record which would be instantly available at the terminal. The copy of each record above must be an exact duplicate image of the original paper record with certifying signatures.

For facilities which use a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out system), a copy of the documentation must be made available (e.g., via facsimile) for inspection by EPA's or NYSDEC's delegated representatives during the course of a site visit, or within a mutually agreeable time frame.

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

Condition 52: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11094(d), Subpart BBBBBB

Item 52.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 52.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
If the facility is subject to the equipment leak provisions of §63.11089, then the facility shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under §63.11089, the record shall contain a full description of the program.

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

Condition 53: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11094(e), Subpart BBBBBB

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

Emission Unit: U-00001

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

Item 53.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
If the facility is subject to the requirements for equipment leak inspections in §63.11089, then the facility shall record in the log book for each leak that is detected, the information below:

1) The equipment type and identification number.
2) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell).
3) The date the leak was detected and the date of each attempt to repair the leak.
4) Repair methods applied in each attempt to repair the leak.
5) "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak.
6) The expected date of successful repair of the leak if the leak is not repaired within 15 days.
7) The date of successful repair of the leak.

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

Condition 54: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11094(f), Subpart BBBBBB

Item 54.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility shall keep the following records:

1) Keep an up-to-date, readily accessible record of the continuous monitoring data required under §63.11092(b) or §63.11092(e). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.

2) Record and report simultaneously with the Notification of Compliance Status required under §63.11093(b) all data and calculations, engineering assessments, and manufacturer's recommendations used in determining the

operating parameter value under §63.11092(b) or §63.11092(e).

3) Keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under §63.11092(b)(1)(i)(B)(2) or §63.11092(b)(1)(iii)(B)(2).

4) Keep an up-to-date, readily accessible copy of all system malfunctions, as specified in §63.11092(b)(1)(i)(B)(2)(v) or §63.11092(b)(1)(iii)(B)(2)(v).

5) If the facility requests approval to use a vapor processing system or monitor an operating parameter other than those specified in §63.11092(b), the facility shall submit a description of planned reporting and recordkeeping procedures.

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

Condition 55: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11095(b), Subpart BBBBBB

Item 55.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 55.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
A facility that is subject to the control requirements in Subpart BBBBBB, shall submit an excess emissions report to NYSDEC at the time the semiannual compliance report is submitted. Excess emissions events under subpart BBBBBB, and the information to be included in the excess emissions report, are as follows:

1) Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the facility failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness

documentation for that cargo tank was obtained.

2) Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tan is obtained by the facility in accordance with §63.11094(b).

3) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under §63.11092(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the continuous monitoring system.

4) Each instance in which malfunctions discovered during the monitoring and inspections required under §63.11092(b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2) were not resolved according to the necessary corrective actions described in the monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction.

5) for each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection:
- the date on which the leak was detected;
- the date of each attempt to repair the leak;
- the reasons for the delay of repair; and
- the date of successful repair.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 56: Compliance Certification
Effective between the dates of 12/03/2010 and 01/09/2011

Applicable Federal Requirement:40 CFR Part 64

Item 56.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 56.2:
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 6 NYCRR 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 40 CFR 64.9(a)(2)(i)) be included with the semi-annual report. Records shall be maintained in accordance with 6 NYCRR 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 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 57: Compliance Certification
Effective between the dates of 12/03/2010 and 01/09/2011

Applicable Federal Requirement:40 CFR Part 64

Item 57.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 57.2:
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 Vapor Combustion Unit (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 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 58: Petroleum fixed roof tanks - a
Effective between the dates of 12/03/2010 and 12/02/2015

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

Item 58.1:
This Condition applies to Emission Unit: U-00002

Item 58.2:
The tank must be retrofitted with an internal floating roof or equivalent control.

Condition 59: Internal floating roofs required in fixed roof tanks storing petroleum products
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable Federal Requirement:6 NYCRR 229.3 (a)

Item 59.1:
This Condition applies to Emission Unit: U-00002

Item 59.2:

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.

Condition 60: Compliance Certification
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11087, Subpart BBBBBB

Item 60.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
A facility which owns or operates a gasoline storage tank subject to this subpart and having a capacity equal to or exceeding 75 cubic meters shall equip each internal floating roof gasoline storage tank according to the requirements in §60.112b(a)(1), except for the secondary seal requirements under §60.112b(a)(1)(ii)(B) and the requirements in §60.112b(a)(1)(iv)-(ix). The facility shall comply with the requirements of subpart BBBBBB by the applicable dates specified in §63.11083, except that if a storage vessel with a floating roof is not meeting the requirements of §63.11087(a) it must be in compliance at the first degassing and cleaning activity after January 10, 2011 or by January 10, 2018, whichever is first. The facility must comply with the testing and monitoring requirements specified in §63.11092(e)(1). Finally, the facility shall submit the following information as required in 40 CFR Part 60.115b(a):

(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of §60.112b(a)(1) and §60.113b(a)(1). This report shall be an attachment to the notification required by §60.7(a)(3).

(2) Keep a record of each inspection performed as required by §60.113b (a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(3) If any of the conditions described in §60.113b(a)(2) are detected during the annual visual inspection required by §60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

(4) After each inspection required by §60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in §60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of §61.112b(a)(1) or §60.113b(a)(3) and list each repair made.

These records are to be maintained for a minimum of 5 years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 61: Waiver of new performance test requirement by complying with state rule
Effective between the dates of 01/10/2011 and 12/02/2015

Applicable Federal Requirement:40CFR 63.11092(a)(2), Subpart BBBBBB

Item 61.1:
This Condition applies to Emission Unit: U-00002

Item 61.2:
If the facility is operating a gasoline loading rack in compliance with 6 NYCRR Part 229.3(d)(1) which requires the loading rack to meet an emission limit of 80mg/L of gasoline loaded, then the facility may submit a statement by a responsible official of the facility certifying the compliance status of the loading rack in lieu of the test required in §63.11092(a)(1).

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 62: Contaminant List
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable State Requirement:ECL 19-0301

Item 62.1:
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: 000108-88-3
Name: TOLUENE

CAS No: 000110-54-3
Name: HEXANE

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

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

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

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

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

Condition 63: Compliance Demonstration
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable State Requirement:ECL 19-0301 (3) (b)

Item 63.1:
The Compliance Demonstration activity will be performed for the Facility.

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

Item 63.2:
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 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 64: Unavoidable noncompliance and violations
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable State Requirement:6 NYCRR 201-1.4

Item 64.1:
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 65: Air pollution prohibited
Effective between the dates of 12/03/2010 and 12/02/2015

Applicable State Requirement:6 NYCRR 211.2

Item 65.1:
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.