



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 8-2614-00311/00016
Mod 0 Effective Date: 09/08/2004 Expiration Date: 09/08/2009
Mod 1 Effective Date: 09/19/2005 Expiration Date: 09/08/2009
Mod 2 Effective Date: 06/19/2008 Expiration Date: No expiration date.
Mod 3 Effective Date: 10/06/2008 Expiration Date: 09/08/2009

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

Contact: MICHAEL A MAUTER
BUCKEYE PIPE LINE CO
3186 GATES RD
AUBURN, NY 13021
(315) 253-5395

Facility: BUCKEYE ROCHESTER SOUTH TERMINAL
675 BROOKS AVE
ROCHESTER, NY 14619

Contact: MICHAEL A MAUTER
BUCKEYE PIPE LINE CO
3186 GATES RD
AUBURN, NY 13021
(315) 253-5395

Description:

Minor modification to add a new Emission Unit, 6-TANKS, consisting of six 30,000 gallon vertical fixed roof ethanol storage tanks. Potential emissions authorized by this modified permit reflect a 6.51 ton per year increase in VOC (ethanol) emissions over the previous permit, from ethanol tank vents due to loading operations and temperature changes.

The Title V Facility Permit was renewed September 8, 2004 and transferred to Buckeye Terminals LLC September 19, 2005, for operation of a gasoline and diesel fuel loading terminal. This facility is subject to 6 NYCRR Part 201-6, Title V Facility Permits, for major stationary sources due to potential VOC emissions in excess of 50 tons per year.

This modified Permit maintains the existing Special Permit Conditions limiting facility HAP potential to emit to below GMACT thresholds of 10 tons per year of



any individual HAP, and 25 tons per year of all HAP combined. These Conditions limit facility throughput to 230,000,000 gallons of gasoline and 170,000,000 gallons of distillates annually, and are unchanged from the Title V Permit renewed September 8, 2004.

Other facility Emission Units are:

1-RACK1, a 4 bay truck loading rack with a vapor combustion unit to control emissions from loading operations; and
1-TANKS, six fixed roof gasoline storage tanks with internal floating roofs.

The facility also includes and five tanks for additives one tank for diesel fuel.

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: DAVID L BIMBER
 DIVISION OF ENVIRONMENTAL PERMITS
 6274 EAST AVON LIMA RD
 AVON, NY 14414-9519

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 8 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 3-1: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6NYCRR 621.11

Item 3-1.1:

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

Item 3-1.2:

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



Item 3-1.3:

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

Condition 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6NYCRR 621.13

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

Condition 3-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6NYCRR 621.13

Item 3-2.1:

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

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

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

Applicable State Requirement: 6NYCRR 621.14

Item 4.1:

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



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

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

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

NYSDEC Regional Permit Administrator
Region 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(716) 226-2466

Condition 3-3: Submission of application for permit modification or renewal-REGION 8

HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 3-3.1:

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

NYSDEC Regional Permit Administrator
Region 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(716) 226-2466



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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9999 HAMILTON BLVD - TEK PARK 5
BREINIGSVILLE, PA 18031

Facility: BUCKEYE ROCHESTER SOUTH TERMINAL
675 BROOKS AVE
ROCHESTER, NY 14619

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

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Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 3-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 3-2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 2 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 3-3 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 3-4 6NYCRR 200.7: Maintenance of Equipment
- 3-5 6NYCRR 201-1.7: Recycling and Salvage
- 3-6 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 3-7 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 3-8 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 3-9 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 3-10 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 3-11 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 3-12 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 3-13 6NYCRR 202-1.1: Required Emissions Tests
- 3-14 6NYCRR 211.3: Visible Emissions Limited
- 3-15 40CFR 68: Accidental release provisions.
- 15 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 1 6NYCRR 201-6: Emission Unit Definition
- 6 6NYCRR 201-6.5(g): Non Applicable requirements
- 9 6NYCRR 225-1.8(b): Compliance Certification
- 10 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 11 6NYCRR 229.3(d)(2): Vapor collection system requirements at a gasoline loading terminal.
- 12 40CFR 63.420(a)(2), Subpart R: Compliance Certification
- 13 40CFR 63.420(a)(2), Subpart R: Compliance Certification



Emission Unit Level

- 16 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 17 6NYCRR 201-6: Process Definition By Emission Unit

EU=1-RACK1

- 18 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 19 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 20 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 21 40CFR 60.502(e), NSPS Subpart XX: Compliance Certification
- 22 40CFR 60.502(f), NSPS Subpart XX: Truck loading compatibility
- 23 40CFR 60.502(g), NSPS Subpart XX: Vapor collection connection required
- 24 40CFR 60.502(i), NSPS Subpart XX: Vent pressure limit
- 25 40CFR 60.502(j), NSPS Subpart XX: Compliance Certification
- 26 40CFR 60.505(b), NSPS Subpart XX: Compliance Certification
- 27 40CFR 60.505(c), NSPS Subpart XX: Compliance Certification
- 28 40CFR 64: Compliance Certification

EU=1-RACK1,EP=00001,Proc=RDS,ES=VPORS

- 29 6NYCRR 229.3(d)(1): Compliance Certification

EU=1-RACK1,EP=00001,Proc=RGS,ES=VPORS

- 30 6NYCRR 229.3(d)(1): Compliance Certification
- 31 40CFR 60.502(b), NSPS Subpart XX: Compliance Certification
- 32 40CFR 60.503, NSPS Subpart XX: Compliance Certification

EU=1-TANKS

- 33 6NYCRR 229.3(a): Compliance Certification
- 34 6NYCRR 229.5(a): Compliance Certification

EU=6-TANKS

- 3-16 40CFR 60.116b(a), NSPS Subpart Kb: Compliance Certification
- 3-17 40CFR 60.116b(b), NSPS Subpart Kb: Compliance Certification
- 3-18 40CFR 60.116b(c), NSPS Subpart Kb: Compliance Certification
- 3-19 40CFR 60.116b(d), NSPS Subpart Kb: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 35 ECL 19-0301: Contaminant List
- 36 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 37 6NYCRR 211.2: Air pollution prohibited
- 38 6NYCRR 225-3.3(a): Compliance Demonstration
- 39 6NYCRR 225-3.4(a): Compliance Demonstration
- 40 6NYCRR 225-3.4(b): Gasoline Distribution Records
- 41 6NYCRR 225-3.4(d): Records Available for Inspection



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

(1) An emergency occurred and that the facility owner and/or

operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the Department

within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

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



- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**



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

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

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the



effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



Item M: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

**Condition 3-1: Acceptable Ambient Air Quality
Effective between the dates of 10/06/2008 and 09/08/2009**

Applicable Federal Requirement:6NYCRR 200.6

Item 3-1.1:

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 3-2: Fees
Effective between the dates of 10/06/2008 and 09/08/2009**

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

Item 3-2.1:

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 09/08/2004 and 09/08/2009**

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

Item 3.1:

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

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



- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

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

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

Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 4.1:

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

Condition 5: Compliance Certification

Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit



requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must



also be identified in the 6 month monitoring report required above.

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 2: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 2.1:



The Compliance Certification activity will be performed for the Facility.

Item 2.2:

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:

6274 East Avon-Lima Road
Avon, NY 14414-9519

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 1/30/2005.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:6NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April
15th each year for emissions of the previous calendar
year.

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

Condition 8: Recordkeeping requirements
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:6NYCRR 202-2.5

Item 8.1:



(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 3-3: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 10/06/2008 and 09/08/2009**

Applicable Federal Requirement:6NYCRR 215

Item 3-3.1:

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

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

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

**Condition 3-4: Maintenance of Equipment
Effective between the dates of 10/06/2008 and 09/08/2009**

Applicable Federal Requirement:6NYCRR 200.7

Item 3-4.1:

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

**Condition 3-5: Recycling and Salvage
Effective between the dates of 10/06/2008 and 09/08/2009**

Applicable Federal Requirement:6NYCRR 201-1.7

Item 3-5.1:

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



Condition 3-6: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 10/06/2008 and 09/08/2009

Applicable Federal Requirement:6NYCRR 201-1.8

Item 3-6.1:

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

Condition 3-7: Exempt Sources - Proof of Eligibility

Effective between the dates of 10/06/2008 and 09/08/2009

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

Item 3-7.1:

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

Condition 3-8: Trivial Sources - Proof of Eligibility

Effective between the dates of 10/06/2008 and 09/08/2009

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

Item 3-8.1:

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

Condition 3-9: Standard Requirement - Provide Information

Effective between the dates of 10/06/2008 and 09/08/2009

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

Item 3-9.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records



required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 3-10: General Condition - Right to Inspect
Effective between the dates of 10/06/2008 and 09/08/2009

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

Item 3-10.1:

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

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 3-11: Standard Requirements - Progress Reports
Effective between the dates of 10/06/2008 and 09/08/2009

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

Item 3-11.1:

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 3-12: Off Permit Changes
Effective between the dates of 10/06/2008 and 09/08/2009

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

Item 3-12.1:

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as



defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

Condition 3-13: Required Emissions Tests
Effective between the dates of 10/06/2008 and 09/08/2009

Applicable Federal Requirement:6NYCRR 202-1.1

Item 3-13.1:

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

Condition 3-14: Visible Emissions Limited
Effective between the dates of 10/06/2008 and 09/08/2009

Applicable Federal Requirement:6NYCRR 211.3

Item 3-14.1:

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 3-15: Accidental release provisions.
Effective between the dates of 10/06/2008 and 09/08/2009

Applicable Federal Requirement:40CFR 68

Replaces Condition(s) 14

Item 3-15.1:

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 15: Recycling and Emissions Reduction
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:40CFR 82, Subpart F

Item 15.1:

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

The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 1: Emission Unit Definition
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 1.1(From Mod 3):

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

Emission Unit: 6-TANKS

Emission Unit Description:

Tanks 11, 12, 13, 14, 15, and 16 will be permitted to store ethanol. Each of the tanks will be identical 30,000 gallon vertical fixed roof tanks.

Item 1.2(From Mod 0):

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

Emission Unit: 1-RACK1

Emission Unit Description:

TRUCK LOADING RACK WITH 4 BAYS, 2 OF WHICH



ARE USED TO LOAD GASOLINE AND 2 OF WHICH
ARE USED TO LOAD DISTILLATE.

Item 1.3(From Mod 0):

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

Emission Unit: 1-TANKS

Emission Unit Description:

(6) STORAGE TANKS OF DIFFERENT VOLUMES
CONTAINING PETROLEUM HYDROCARBONS WITH A
VAPOR PRESSURE OF LESS THAN OR EQUAL TO 12
PSIA. ALL ARE FIXED ROOF TANKS WITH
INTERNAL FLOATING ROOFS.

Condition 6: Non Applicable requirements
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 6.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

6NYCRR 230

Emission Unit: 1RACK1

Reason: PART 230 APPLIES TO OWNERS AND OPERATOR
OF GASOLINE DISPENSING SITES AND GASOLINE
TRANSPORT VEHICLES. THE FACILITY DOES
NOT MEET THE DEFINITION OF A GASOLINE
DISPENSING SITE AS DEFINED IN 230.1
BECAUSE IT DOES NOT DISPENSE GASOLINE
INTO VEHICLE FUEL TANKS OR INTO PORTABLE
CONTAINERS USED TO FUEL A MOTOR.
GASOLINE TRANSPORT VEHICLES AS DEFINED IN
230.1 ARE NOT STATIONARY SOURCES AS
DEFINED IN PART 200, SO THEY SHOULD NOT
BE PART OF THE PERMIT.

Condition 9: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 9.1:

The Compliance Certification activity will be performed for the Facility.

Item 9.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator of a facility subject to 6NYCRR



Part 201-6 who sells oil and/or coal must retain, for at least three years, records containing the following information:

- i. fuel analyses and data on the quantities of all oil and coal received; and
- ii. the names of all purchasers, fuel analyses and data on the quantities of all oil and coal sold.

Such fuel analyses must contain as a minimum:

- i. data on the sulfur content, ash content, specific gravity and heating value of residual oil;
- ii. data on the sulfur content, specific gravity and heating value of distillate oil; and
- iii. data on the sulfur content, ash content and heating value of coal.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 10: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 09/08/2004 and 09/08/2009**

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

Item 10.1:

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

Condition 11: Vapor collection system requirements at a gasoline loading terminal.

Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:6NYCRR 229.3(d)(2)

Item 11.1:

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

- hatch loading systems which include a loading arm with a vapor collection system adaptor, a vapor-tight seal between the adaptor and hatch, and a method of preventing drainage of liquid gasoline from the loading arm when it is removed from the hatch or for complete drainage of the loading arm before such removal;
- bottom loading systems which include a connecting pipe or hose equipped with vapor-tight fittings that will automatically and immediately close upon disconnection to



prevent release of gasoline vapors;

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

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

Condition 12: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:40CFR 63.420(a)(2), Subpart R

Item 12.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 12.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY SHALL NOT EXCEED A
DISTILLATES THROUGHPUT OF 170,000,000
GALLONS PER YEAR ON A ROLLING TWELVE
MONTH BASIS. MONTHLY RECORDS VERIFYING
THIS SHALL BE MAINTAINED ON SITE AND MADE
AVAILABLE FOR INSPECTION.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 13: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:40CFR 63.420(a)(2), Subpart R

Item 13.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 13.2:

Compliance Certification shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY SHALL NOT EXCEED A GASOLINE THROUGHPUT OF 230,000,000 GALLONS ON A ROLLING TWELVE MONTH BASIS. MONTHLY RECORDS VERIFYING THIS SHALL BE MAINTAINED ON SITE AND MADE AVAILABLE FOR INSPECTION.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

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

**Condition 16: Emission Point Definition By Emission Unit
Effective between the dates of 09/08/2004 and 09/08/2009**

Applicable Federal Requirement:6NYCRR 201-6

Item 16.1(From Mod 3):

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

Emission Unit: 6-TANKS

Emission Point: T0011
Height (ft.): 35 Diameter (in.): 12

Emission Point: T0012
Height (ft.): 35 Diameter (in.): 12

Emission Point: T0013
Height (ft.): 35 Diameter (in.): 12

Emission Point: T0014
Height (ft.): 35 Diameter (in.): 12

Emission Point: T0015
Height (ft.): 35 Diameter (in.): 12

Emission Point: T0016
Height (ft.): 35 Diameter (in.): 12

Item 16.2(From Mod 0):

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

Emission Unit: 1-RACK1

Emission Point: 00001



Height (ft.): 45 Diameter (in.): 90
NYTMN (km.): 4778.721 NYTME (km.): 284.029

Condition 17: Process Definition By Emission Unit
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 17.1(From Mod 3):

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

Emission Unit: 6-TANKS
Process: 003 Source Classification Code: 4-07-008-98
Process Description:
The process includes the throughput of ethanol with a
true vapor pressure less than 4.0 psia through Tanks
11-16.

Emission Source/Control: T0011 - Process
Design Capacity: 30,000 gallons

Item 17.2(From Mod 0):

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

Emission Unit: 1-RACK1
Process: RDS Source Classification Code: 4-04-001-50
Process Description:
TANK TRUCKS ARE BOTTOM LOADED WITH
DISTILLATE AT 2 BAYS. VAPORS FROM THE
BOTTOM LOADING BAYS ARE SENT TO THE VAPOR
COMBUSTION UNIT.

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

Emission Source/Control: RACK1 - Process
Design Capacity: 400,000,000 gallons per year

Item 17.3(From Mod 0):

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

Emission Unit: 1-RACK1
Process: RGS Source Classification Code: 4-04-002-50
Process Description:
GASOLINE TANK TRUCKS ARE BOTTOM LOADED AT
2 BAYS. VAPORS ARE COLLECTED AND ARE SENT
THE VAPOR COMBUSTION UNIT.

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

Emission Source/Control: RACK1 - Process
Design Capacity: 400,000,000 gallons per year



Item 17.4(From Mod 0):

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

Emission Unit: 1-RACK1
Process: TTV Source Classification Code: 4-04-001-54
Process Description:
FUGITIVE EMISSIONS FROM LEAKS FROM TANK
TRUCKS DURING LOADING.

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

Emission Source/Control: RACK1 - Process
Design Capacity: 400,000,000 gallons per year

Item 17.5(From Mod 0):

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

Emission Unit: 1-RACK1
Process: VCU Source Classification Code: 4-04-001-52
Process Description:
FUGITIVE EMISSIONS FROM LOSSES FROM THE
VAPOR COMBUSTION UNIT.

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

Emission Source/Control: RACK1 - Process
Design Capacity: 400,000,000 gallons per year

Item 17.6(From Mod 0):

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

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

Emission Source/Control: FVPMP - Process

Item 17.7(From Mod 0):

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

Emission Unit: 1-TANKS
Process: GAS Source Classification Code: 4-04-001-60
Process Description:
6 STORAGE TANKS, EACH HAVING A CAPACITY OF
GREATER THAN 40,000 GALLONS, STORING
PETROLEUM HYDRO-CARBONS WITH A VAPOR



PRESSURE OF LESS THAN OR EQUAL TO 12 PSIA.
EACH TANK HAS A FIXED ROOF WITH AN INTERNAL
FLOATING ROOF SYSTEM.

Emission Source/Control: TK017 - Process
Design Capacity: 2,208,772 gallons

Emission Source/Control: TK031 - Process
Design Capacity: 2,174,900 gallons

Emission Source/Control: TK033 - Process
Design Capacity: 1,163,630 gallons

Emission Source/Control: TK037 - Process
Design Capacity: 1,323,000 gallons

Emission Source/Control: TK038 - Process
Design Capacity: 146,891 gallons

Emission Source/Control: TK039 - Process
Design Capacity: 426,001 gallons

Condition 18: EPA Region 2 address.
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 18.1:
This Condition applies to Emission Unit: 1-RACK1

Item 18.2:
All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

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

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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



Condition 19: Recordkeeping requirements.
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 19.1:

This Condition applies to Emission Unit: 1-RACK1

Item 19.2:

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

Condition 20: Facility files for subject sources.
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 20.1:

This Condition applies to Emission Unit: 1-RACK1

Item 20.2:

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

Condition 21: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 21.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Item 21.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

1. The owner or operator shall obtain the vapor tightness documentation described in paragraph 60.505(b) of 40 CFR



60.500 Subpart XX for each gasoline tank truck which is to be loaded at the facility.

2. The owner or operator shall require the tank identification number to be recorded as each gasoline tank truck is loaded at the facility.
3. The owner or operator shall cross-check each tank identification number recorded per item 2 above with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded.
4. The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the facility within 1 week after the documentation cross-check (Item #3).
5. The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that tank is obtained.

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

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 22: Truck loading compatibility
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 22.1:
This Condition applies to Emission Unit: 1-RACK1

Item 22.2:
Gasoline loading limited to trucks with vapor collection equipment which is compatible with the terminal vapor collection system.

Condition 23: Vapor collection connection required
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 23.1:



This Condition applies to Emission Unit: 1-RACK1

Item 23.2:

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

Condition 24: Vent pressure limit

Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 24.1:

This Condition applies to Emission Unit: 1-RACK1

Item 24.2:

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

Condition 25: Compliance Certification

Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 25.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compound liquid or vapor leaks. Detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

Monthly terminal leak inspection records must be retained at the terminal for at least 5 years. Inspection records shall include, as a minimum, the following:

1. Inspection date



2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
3. Leak determination method
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
5. Inspector name and signature.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 26: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 26.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All tank truck vapor tightness documentation required under this section shall be kept on file at the terminal in a permanent form available for inspection.

Tank truck testing records must be updated annually to reflect current test results as determined by EPA Method 27. This documentation shall include, as a minimum, the following information:

1. Test title: Gasoline Delivery Tank Pressure Test - EPA Reference Method 27
2. tank owner name and address
3. truck identification number
4. testing location
5. test date
6. tester name and signature



7. average (of two runs) of actual pressure change observed during the 5 minute test periods

8. witnessing inspector's (if any): name, signature and affiliation.

Reference Test Method: EPA Method 27

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 1/30/2005.

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

Condition 27: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 27.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monthly terminal leak inspection records must be retained at the terminal for at least 5 years. Inspection records shall include, as a minimum, the following:

1. Inspection date
2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
3. Leak determination method
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
5. Inspector name and signature.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 28: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009



Applicable Federal Requirement:40CFR 64

Item 28.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A Compliance Assurance Monitoring plan for the VDU shall be followed, as described in the document attached to the renewal application received August 23, 2003, and titled same.

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 1/30/2005.

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

Condition 29: Compliance Certification

Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 29.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Emission Point: 00001

Process: RDS

Emission Source: VPORS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

AN EMISSIONS TEST SHALL BE CONDUCTED ONCE EVERY FIVE YEARS PER 40CFR60.503, TO ASSURE COMPLIANCE WITH AN EMISSION RATE OF 0.67 POUNDS PER 1000 GALLONS OR NOT TO EXCEED 35 MG/L, AS SPECIFIED IN 6NYCRR, PART 229.3(D)(1). A STACK TEST



WAS CONDUCTED IN 12/2003, SHOWING THAT
THE VCU IS OPERATING WITH A HYDROCARBON
EMISSION RATE OF LESS THAN 35 MG PER
LITER OF GASOLINE LOADED.

Manufacturer Name/Model Number: JOHN ZINK MODEL ZCT-3-8-45-3-3/6

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 35 milligrams per liter

Reference Test Method: 40 CFR 60.503 XX

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 30: Compliance Certification

Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 30.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1

Emission Point: 00001

Process: RGS

Emission Source: VPORS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

AN EMISSIONS TEST SHALL BE CONDUCTED
ONCE EVERY FIVE YEARS PER 40CFR60.503,
TO ASSURE COMPLIANCE WITH AN EMISSION
RATE OF 0.67 POUNDS PER 1000 GALLONS OR
NOT TO EXCEED 35 MG/L, AS SPECIFIED IN
6NYCRR, PART 229.3(D)(1). A STACK TEST
WAS CONDUCTED IN 12/2003, SHOWING THAT
THE VCU IS OPERATING WITH A HYDROCARBON
EMISSION RATE OF LESS THAN 35 MG PER
LITER OF GASOLINE LOADED.

Manufacturer Name/Model Number: JOHN ZINK MODEL ZCT-3-8-45-3-3/6

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 35 milligrams per liter

Reference Test Method: 40 CFR 60.503 XX

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 31: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 31.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1	Emission Point: 00001
Process: RGS	Emission Source: VPORS
Regulated Contaminant(s):	
CAS No: 0NY998-00-0	VOC

Item 31.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

ULTRAVIOLET FLAME DETECTOR (UFD)
MONITORS PRESENCE OF FLAME ON A
CONTINUOUS BASIS. ELECTRICAL SIGNAL
GENERATED BY UFD IS MEASURED AND
RECORDED. AFTER A TANKER TRUCK IS HOOKED
UP AT THE LOADING RACK, A REMOTE SIGNAL
IS SENT TO THE VCU PROGRAMMABLE LOGIC
CONTROLLER (PLC) TO AUTOMATICALLY IGNITE
THE PILOT FLAME. IF A PILOT FLAME IS NOT
DETECTED BY THE UFD, THE PLC WILL SHUT
DOWN THE COMBUSTION SYSTEM DUE TO PILOT
FAILURE. WHILE THE UFD VERIFIES THAT A
FLAME IS PRESENT, A GREEN LIGHT REMAINS
ON IN THE OPERATOR'S OFFICE. IF THE UFD
SIGNAL IS LOST DURING LOADING, THE
LOADING RACK AUTOMATICALLY SHUTS DOWN AND
THE TROUBLE LIGHT TURNS RED.

Manufacturer Name/Model Number: JOHN ZINK VAPOR COMBUSTION UNIT
Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 32: Compliance Certification



Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:40CFR 60.503, NSPS Subpart XX

Item 32.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACK1 Emission Point: 00001
Process: RGS Emission Source: VPORS

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

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

THE PERMITTEE WILL CONDUCT TEST EMISSIONS PER NSPS, SUBPART XX ONCE EVERY FIVE YEARS. TEST RESULTS MUST INDICATE AN EMISSION RATE <0.67 POUNDS PER 1000 GALLONS OR NOT TO EXCEED 35 MG/L.

Manufacturer Name/Model Number: JOHN ZINK VAPOR COMBUSTION MODEL ZCT-3-8-45-3-3/6

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 35 milligrams per liter

Reference Test Method: 40 CFR 60.503XX

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 33: Compliance Certification

Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement:6NYCRR 229.3(a)

Item 33.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



No person may store petroleum liquid in a fixed roof tank subject to Part 229 unless:

1. the tank has been retrofitted with an internal floating roof or equivalent control; and
2. the vapor collection and vapor control systems are maintained and operated in such a way as to ensure the integrity and efficiency of the system.

The permittee must visually inspect the vapor collection and control systems every calendar quarter to ensure compliance with the above.

The permittee must visually inspect the floating roof and secondary seals from the tank roof hatch on an annual basis.

Records of all inspections must be maintained on site for a period of five years. Inspection records shall contain the date(s) of all inspections, inspection findings and a listing of all equipment repairs or replacements.

Reference Test Method: Visual

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 34: Compliance Certification
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable Federal Requirement: 6NYCRR 229.5(a)

Item 34.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Recordkeeping of capacities of petroleum liquid storage tanks - Records must be maintained at the facility for five years

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-16: Compliance Certification
Effective between the dates of 10/06/2008 and 09/08/2009



Applicable Federal Requirement:40CFR 60.116b(a), NSPS Subpart Kb

Item 3-16.1:

The Compliance Certification activity will be performed for:

Emission Unit: 6-TANKS

Item 3-16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep copies of all records required by this section, except for the record required by paragraph (b) of this section, for at least 2 years. The record required by paragraph (b) of this section will be kept for the life of the source. Note: Title V requires these records to be maintained for five (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 1/30/2009.

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

Condition 3-17: Compliance Certification

Effective between the dates of 10/06/2008 and 09/08/2009

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

Item 3-17.1:

The Compliance Certification activity will be performed for:

Emission Unit: 6-TANKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 3-17.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. These records shall be kept on site for the life of the storage vessel.

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 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 3-18: Compliance Certification
Effective between the dates of 10/06/2008 and 09/08/2009

Applicable Federal Requirement:40CFR 60.116b(c), NSPS Subpart Kb

Item 3-18.1:

The Compliance Certification activity will be performed for:

Emission Unit: 6-TANKS

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

Item 3-18.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall maintain a record of the Volatile Organic Liquid (VOL) stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period. These records shall be kept on site for a minimum of 2 years.

Note: The above time frames are new source performance standards (NSPS) requirements. Other Title V permit requirements pursuant to 6 NYCRR 201-6.5(c)(2) requires these records to be maintained for at least five (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 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 3-19: Compliance Certification
Effective between the dates of 10/06/2008 and 09/08/2009

Applicable Federal Requirement:40CFR 60.116b(d), NSPS Subpart Kb

Item 3-19.1:

The Compliance Certification activity will be performed for:

Emission Unit: 6-TANKS

Item 3-19.2:



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Except as provided in 116b(g), the owner/operator of each storage vessel with a design capacity greater than or equal to 75 cubic meters but less than 151 cubic meters storing a liquid with a maximum true vapor pressure that is normally less than 27.6 kPa shall notify New York State DEC within 30 days when the maximum true vapor pressure of the liquid exceeds 27.6 kPa.

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 1/30/2009.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 35: Contaminant List

Effective between the dates of 09/08/2004 and 09/08/2009

Applicable State Requirement:ECL 19-0301

Item 35.1:

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

CAS No: 0NY100-00-0

Name: HAP

CAS No: 0NY998-00-0



Name: VOC

**Condition 36: Unavoidable noncompliance and violations
Effective between the dates of 09/08/2004 and 09/08/2009**

Applicable State Requirement:6NYCRR 201-1.4

Item 36.1:

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 37: Air pollution prohibited
Effective between the dates of 09/08/2004 and 09/08/2009

Applicable State Requirement:6NYCRR 211.2

Item 37.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 38: Compliance Demonstration
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 38.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 38.2:

Compliance Demonstration 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 gauge

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 1/30/2005.

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



Condition 39: Compliance Demonstration
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 39.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any refinery, terminal, or bulk plant from which gasoline, subject to this Subpart, is distributed must maintain records on the gasoline that is delivered to or distributed from such facilities. These records shall include:

- (1) The RVP of the gasoline if subject to section 225-3.3 of this Subpart.
- (2) A designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
- (3) Written certification that the gasoline:
 - (i) conforms with all RVP and oxygen content requirements of this Subpart; and
 - (ii) is in compliance with all applicable State and Federal regulations which apply during the time period(s) specified pursuant to paragraph (3) of this subdivision.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 40: Gasoline Distribution Records
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 40.1:

Persons subject to subdivision (a) of 6 NYCRR Part 225-3.4 shall provide the following records with gasoline which is distributed from facilities:

- (1) A copy of the certification produced for paragraph (a)(5) of this section.
- (2) Documentation of the maximum RVP of the gasoline if the gasoline was subject to section 225-3.3 of this Subpart.



(3) Designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.

(4) Documentation of the shipment quantity and the shipment date of the gasoline being distributed.

Condition 41: Records Available for Inspection
Effective between the dates of 09/08/2004 and 09/08/2009

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

Item 41.1:

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

New York State Department of Environmental Conservation

Permit ID: 8-2614-00311/00016

Facility DEC ID: 8261400311

