

New York State Department of Environmental Conservation
Facility DEC ID: 9146400090



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-1464-00090/00065
Effective Date: 07/10/2001 Expiration Date: 07/10/2006

Permit Issued To: NOCO ENERGY CORP
700 GRAND ISLAND BLVD
TONAWANDA, NY 14150-6516

Contact: JAMES C. KORCZYKOWSKI
P.O. BOX 86
TONAWANDA, NY 14151-0086
(716) 833-6206

Facility: NOCO ENERGY CORP
700 GRAND ISLAND BLVD
TONAWANDA, NY 14150

Description:

NOCO Energy, located at 700 Grand Island Blvd in the Town of Tonawanda, New York is a petroleum and chemical bulk storage terminal. This facility stores and distributes liquid petroleum and products containing regulated air pollutants. It also collects, blends and markets waste oil. There is an aboveground biocell at this facility that treats petroleum-impacted soils.

This facility has sixty-eight (68) storage tanks of various capacity and stored material. There are six (6) vertical storage tanks which store gasoline, aviation gasoline, ethanol, or other liquid products with a vapor pressure greater than 1.5 psia. All six (6) tanks are equipped with sealed internal floating roofs. Twenty four (24) tanks store liquid asphalt, fuel oil, reprocessed waste oil, or various products containing regulated air pollutants of low vapor pressure. Thirteen (13) horizontal tanks are used to store volatile organic liquids with a vapor pressure less than 6.8 psia and are subject to NSPS requirements under 40 CFR Part 60, Subpart Kb. These forty three (43) tanks are subject to an operational flexibility plan.

OPERATIONAL FLEXIBILITY PLAN:

NOCO stores various products containing regulated air pollutants of low vapor pressure (< 1.0 psia). From time to time, NOCO is called upon by its suppliers to store alternative products containing regulated air pollutants. Under Operational Flexibility, NOCO has proposed to store appropriate products containing regulated air pollutants in several qualifying tanks. Operational flexibility shall be granted for the following tanks:

T-101, T-102, T-107, T-108, T-109, T-110, T-111, T-112, T-113, T-114, T-115, T-116, T-117, T-118, T-119, T-120, T-121, T-122, T-123, T-124, T-125, T-126, T-127, T-128, T-129, T-130, T-147, T-148, T-149, T-150, T-151, T-152, T-153, T-154, T-155, T-156, T-210, T-211, T-212, T-213, T-214, T-215 and T-216 provided the following conditions are followed:

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1. When a supplier requests a product containing regulated air pollutants change for the tanks listed above, the facility must obtain an MSDS that specifies the vapor pressure and weight percent of the components of the product containing regulated air pollutants from the supplier.
2. The proposed product containing regulated air pollutants must have a vapor pressure at standard conditions of less than 1.0 psia.
3. The proposed product containing regulated air pollutants will comply with any applicable Part 212 requirements.
4. The change in the facility's total Hazardous Air Pollutant (HAP) and individual HAP emissions must be evaluated to ensure that the facility's caps on these contaminants would not be exceeded.
5. The tank must be evaluated for proper venting control for the proposed product containing regulated air pollutants, and
6. If the above criteria are met, the facility must notify the NYSDEC Region 9 office, in writing, 5 days prior to the changeover to the new product containing regulated air pollutants.

The facility has six (6) loading rack areas (5 truck loading and 1 rail car loading). The gasoline loading rack is equipped with a vapor recovery unit.

NOCO utilizes combustion units to heat tanks and pipelines for easy movement of heavy products such as asphalt, residual oils and waste oils. The combustion units also provide space heat for office buildings. This facility has accepted federally-enforceable SO₂ emissions limitations and therefore is not subject to PSD requirements of 40 CFR Part 52.21.

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: RICHARD P. SWEENEY
270 MICHIGAN AVE
BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other 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, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

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 and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 9
HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

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.

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. The grounds for

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modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 9 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 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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

Permit Effective Date: 07/10/2001

Permit Expiration Date: 07/10/2006



LIST OF CONDITIONS

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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 1: Sealing

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

(a) The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labelling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 2: Acceptable ambient air quality

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

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: Maintenance of equipment

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 200.7

Item 3.1:

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.



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Condition 4: Unpermitted Emission Sources
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

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

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Condition 5: Unavoidable Noncompliance and Violations
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 5.1:

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 or certificate issued for the corresponding air contamination source. 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.



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(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.

Condition 6: Emergency Defense
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

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.

Condition 7: Recycling and Salvage
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.7



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Item 7.1:

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 6 NYCRR.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

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 9: Public Access to Recordkeeping for Title V facilities

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 9.1:

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.

Condition 10: Proof of Eligibility

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 10.1:

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

Condition 11: Proof of Eligibility

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 11.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part



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

Condition 12: Applicable Criteria, Limits, Terms, Conditions and Standards
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 12.1:

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

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 12.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

Condition 13: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 13.1:

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.

Condition 14: Compliance Requirements
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.



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Item 14.1:

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 the responsible official, consistent with Section 201-6.3 of Part 201.

Item 14.2:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

Item 14.3:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. 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 15: Federally-Enforceable Requirements
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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

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only state regulations.

Condition 16: Fees
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

The permittee shall pay the required fees associated with this permit.

Condition 17: Monitoring, Related Recordkeeping and Reporting Requirements
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, 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 18: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

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 relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee 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. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 19: Permit Shield
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

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Item 19.1:

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, 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.

Condition 20: Property Rights

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

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

Condition 21: Reopening for Cause

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

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.



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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.

Item 21.2:

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.

Item 21.3:

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.

Condition 22: Right to Inspect

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 22.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

i. Enter upon the permittee's premises where the permitted facility 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 facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 23: Severability

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:



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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.

Condition 24: Operational Flexibility
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

For anticipated operating scenarios that have been approved as a part of this permits operational flexibility, the permittee shall:

- i. Contemporaneously with making a change from one operating scenario to another, record in a log at the facility a notation of the scenario under which it is operating;
- ii. Ensure that the terms and conditions of each such alternative scenario meet all applicable requirements and the requirements contained in any permit term or condition of this permit.

Condition 25: Emission Unit Definition
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 25.1:

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

Emission Unit: 1-CMBST

Emission Unit Description:

THIS UNIT CONSISTS OF AN EMISSION POINT FOR WHICH A FACILITY WIDE EMISSION CAP WAS OBTAINED TO AVOID PSD REQUIREMENTS, AND TEN (10) EXEMPT UNITS. SPECIFIC INFORMATION SUCH AS MAXIMUM RATED HEAT INPUT AND FUEL CAP DATA FOR EACH COMBUSTION UNIT IS PRESENTED IN THE "BOILER EMISSIONS CALCULATIONS" TABLE IN THE SUPPORTING DOCUMENTATION SECTION ENTITLED "FACILITY WIDE PTE CALCULATIONS". ALL SOURCES IN UNIT 1 CMBST CAN BURN REPROCESSED WASTE OIL/WASTE OIL, NO 6 FUEL OIL, NATURAL GAS, NO 2 FUEL OIL AND KEROSENE.

Item 25.2:

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

Emission Unit: 1-MISCO

Emission Unit Description:

OTHER MISCELLANEOUS SOURCE: THIS UNIT IS AN "ABOVE GROUND BIOCELL" WHICH REMOVES ABSORBED HYDROCARBONS FROM SOIL UTILIZING

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VACUUM VAPOR EXTRACTION TECHNOLOGY.
INDIGENOUS BACTERIA DEGRADE THE
HYDROCARBONS REMOVED FROM THE SOIL.

Building(s): TREAT CMPD

Item 25.3:

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

Emission Unit: 1-RACKS

Emission Unit Description:

SIX (6) LOADING RACKS ARE UTILIZED TO LOAD VARIOUS PRODUCTS INCLUDING GASOLINE, AVIATION GASOLINE, KEROSENE, JET A FUEL OILS, LIQUID ASPHALT, ETHANOL, NONENE, REPROCESSED WASTE OILS/WASTE OILS AND VARIOUS CHEMICALS COVERED BY THE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4 . FIVE (5) OF THE LOADING RACKS LOAD TRUCKS, AND ONE (1) OF THE LOADING RACKS IS A RAIL CAR LOADING RACK. THE IDENTITY OF PRODUCTS HANDLED BY EACH LOADING RACK IS REFLECTED IN THE PROCESS INFORMATION DESCRIPTIONS IN THIS UNIT.

Building(s): LOAD RACKS

Item 25.4:

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

Emission Unit: 1-TANKS

Emission Unit Description:

SIX (6) VERTICAL STORAGE TANKS OF DIFFERENT VOLUMES. ALL TANKS HAVE SEALED, INTERNAL FLOATING ROOFS, AND STORE GASOLINE, AVIATION GASOLINE, ETHANOL, OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE TANKS ARE COVERED BY THE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4.

Building(s): TANK FARM

Item 25.5:

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

Emission Unit: 2-TANKS

Emission Unit Description:

TWENTY FOUR (24) STORAGE TANKS OF DIFFERENT VOLUMES ARE USED TO STORE LIQUID ASPHALT, FUEL OIL, REPROCESSED WASTE



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OIL/WASTE OIL, OR VARIOUS CHEMICAL PRODUCTS OF LOW VAPOR PRESSURE. EACH TANK HAS A FIXED ROOF. ALL TANKS ARE COVERED BY THE OPERATIONAL FLEXIBILITY PROTOCOL.

Building(s): TANK FARM

Item 25.6:

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

Emission Unit: 3-TANKS

Emission Unit Description:

THIRTEEN (13) STORAGE TANKS OF DIFFERENT VOLUMES ARE USED TO STORE VOLATILE ORGANIC LIQUIDS WITH A VAPOR PRESSURE LESS THAN 6.8 PSIA. ALL TANKS IN THIS UNIT ARE SUBJECT TO DIMENSION/CAPACITY RECORD KEEPING REQUIREMENTS UNDER 40 CFR PART 60 SUBPART Kb. THESE TANKS ARE ALSO COVERED BY THE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4.

Building(s): TANK FARM

Condition 26: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: 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.

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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 Compliance Monitoring and Enforcement (BCME) 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 every 6 calendar months (January - June, July - December)

Condition 27: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 27.1:
The Compliance Certification activity will be performed for the Facility.

Item 27.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance certifications shall contain the following information:

- 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;

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- 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.

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.

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 Compliance Monitoring and Enforcement (BCME) 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:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

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Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after previous reporting period

Condition 28: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 28.1:

The Compliance Certification activity will be performed for the Facility.

Item 28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

OPERATIONAL FLEXIBILITY PLAN

NOCO stores various products containing regulated air pollutants of low vapor pressure (< 1.0 psia). From time to time, NOCO is called upon by its suppliers to store alternative products containing regulated air pollutants. Under Operational Flexibility, NOCO has proposed to store appropriate products containing regulated air pollutants in several qualifying tanks. Operational flexibility shall be granted for the following tanks:

T-101, T-102, T-107, T-108, T-109, T-110, T-111, T-112, T-113, T-114, T-115, T-116, T-117, T-118, T-119, T-120, T-121, T-122, T-123, T-124, T-125, T-126, T-127, T-128, T-129, T-130, T-147, T-148, T-149, T-150, T-151, T-152, T-153, T-154, T-155, T-156, T-210, T-211, T-212, T-213, T-214, T-215 and T-216 provided the following conditions are followed:

1. When a supplier requests a product containing regulated air pollutants change for the tanks listed above, the facility must obtain an MSDS that specifies the vapor pressure and weight percent of the components of the product containing regulated air pollutants from the supplier.
2. The proposed product containing regulated air pollutants must have a vapor pressure at standard conditions of less than 1.0 psia.
3. The proposed product containing regulated air

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pollutants will comply with any applicable Part 212 requirements.

4. The change in the facility's total Hazardous Air Pollutant (HAP) and individual HAP emissions must be evaluated to ensure that the facility's caps on these contaminants would not be exceeded.

5. The tank must be evaluated for proper venting control for the proposed product containing regulated air pollutants, and

6. If the above criteria are met, the facility must notify the NYSDEC Region 9 office, in writing, 5 days prior to the changeover to the new product containing regulated air pollutants.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 29: Non Applicable requirements
Effective between the dates of 07/10/2001 and 07/10/2006**

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

Item 29.1:

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 212.

Emission Unit: 1TANKS

Reason: BECAUSE THESE EMISSION POINTS ARE SUBJECT TO PART 229 REQUIREMENTS, THEY ARE EXEMPT FROM PART 212 REQUIREMENTS UNDER 212.7(e).

6NYCRR 212.10(c)

Emission Unit: 3TANKS

Reason: THE FACILITY DOES NOT REQUIRE A RACT ANALYSIS FOR EMISSION POINTS IN THIS UNIT BECAUSE THE NOX AND VOC EMISSION RATE POTENTIAL FOR EACH EMISSION POINT IS LESS

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THAN 3 LB/HR.

6NYCRR 212.10(c)

Emission Unit: 2TANKS

Reason: THE FACILITY DOES NOT REQUIRE A RACT ANALYSIS FOR EMISSION POINTS IN THIS UNIT BECAUSE THE NOX AND VOC EMISSION RATE POTENTIAL FOR SUCH EMISSION POINTS IS LESS THAN 3 LB/HR.

6NYCRR 212.10(c)

Emission Unit: 1RACKS

Reason: LR020 IS EXEMPT FROM VOC/NOX RACT UNDER 212.7 (e) AND REMAINING RACKS ARE EXEMPT BECAUSE ERP IS LESS THAN 3.0 POUNDS PER HOUR FOR VOCS/NOX.

6NYCRR 227-2.

Emission Unit: 1CMBST

Reason: NOCO'S COMBUSTION UNITS ARE NOT SUBJECT TO NOX RACT UNDER PART 227-2 BECAUSE NOCO'S FACILITY IS NOT A MAJOR SOURCE OF NOX (PTE <100 TPY) NOR DO ITS COMBUSTION UNITS MEET ANY OF THE CRITERIA IN 227-2.1 (a).

40CFR 60-Kb.

Emission Unit: 2TANKS

Reason: AS REFLECTED IN ATTACHMENT 14, NONE OF THE EMISSION POINTS IN THIS UNIT ARE SUBJECT TO NSPS REQUIREMENTS.

40CFR 60-Kb.

Emission Unit: 1TANKS

Reason: AS REFLECTED IN ATTACHMENT 14, NONE OF THE EMISSION POINTS IN THIS UNIT ARE SUBJECT TO NSPS REQUIREMENTS.

40CFR 60-XX.

Emission Unit: 1RACKS Emission Point: LR020

Reason: NOCO'S GASOLINE LOADING RACK IS NOT SUBJECT TO SUBPART XX BECAUSE IT WAS NOT CONSTRUCTED OR MODIFIED AFTER DECEMBER 17, 1980 WITHIN THE MEANING OF 40 CFR 60.500 (b).

Condition 30: Required emissions tests



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Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 30.1:

An acceptable report of measured emissions shall be submitted, as may be required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Condition 31: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 31.1:

The Compliance Certification activity will be performed for the Facility.

Item 31.2:

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 32: Recordkeeping requirements

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 32.1:

(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.



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Condition 33: Visible emissions limited.
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 211.3

Item 33.1:

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 34: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 215.

Item 34.1:

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

Condition 35: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Limit of Monitoring: 1.1 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

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Condition 36: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Limit of Monitoring: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 37: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Item 37.2:

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:

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- 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 38: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 07/10/2001 and 07/10/2006**

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

Item 38.1:

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 39: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006**

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

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell or supply gasoline having a Reid vapor pressure greater than 9.0 psi during the period between May 1 through September 15 of each year.



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Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: GASOLINE
Parameter Monitored: REID VAPOR PRESSURE
Upper Limit of Monitoring: 9.0 pounds per square inch absolute
Reference Test Method: ASTM D323-99a
Monitoring Frequency: PER DELIVERY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 40: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 225-3.6(a)

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Item 40.2:

Compliance Certification 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 6 NYCRR Part 225-3, 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 6 NYCRR Part 225-3.
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 requirements of 6 NYCRR Part 225-3; and
 - ii. is in compliance with all applicable State and Federal regulations which apply during the time period(s) in which the gasoline is intended to be dispensed to motor vehicles.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 41: Compliance Certification



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Applicable Federal Requirement: 6NYCRR 225-3.6(b)

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Item 41.2:

Compliance Certification 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 6 NYCRR Part 225-3, is distributed shall provide the following records with gasoline which is distributed from facilities:

1. A copy of the written certification provided in accordance with paragraph 225-3.6(a)(5) of 6 NYCRR Part 225-3 that the gasoline:
 - i. conforms with all RVP and oxygen content requirements of 6 NYCRR Part 225-3; and
 - ii. is in compliance with all applicable State and Federal regulations which apply during the time period(s) during which the gasoline is to be dispensed to motor vehicles.
2. Documentation of the maximum RVP of the gasoline if the gasoline was subject to section 225-3.3 of 6 NYCRR Part 225-3.
3. Designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
4. Documentation of the shipment quantity and the shipment date of the gasoline being distributed.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 42: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 225-3.6(d)



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Item 42.1:

The Compliance Certification activity will be performed for the Facility.

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a facility that is subject to 6NYCRR Part 201-6 shall maintain records pursuant to 6NYCRR Part 225-3.6, and must make the records available for inspection by the commissioner's representative during normal business hours at the location from which the gasoline was delivered, sold, or dispensed.

The facility must also furnish copies of these records to the commissioner's representative upon request.

All records and documentation required to be made or maintained in accordance with 6NYCRR Part 225-3.6, including any calculations performed, shall be maintained for at least two years from the date of delivery.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 43: Testing and monitoring requirements

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 229.4(a)

Item 43.1:

The owner and/or operator of a vapor collection and control system must follow notification requirements, protocol requirements, and test procedures of Part 202 of this title for testing and monitoring to determine compliance with the emission limits and control requirements required of this Part.

Condition 44: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 229.5(c)

Item 44.1:

The Compliance Certification activity will be performed for the Facility.

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



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Recordkeeping of average daily gasoline throughput for gasoline loading terminals - Records must be maintained at the facility for five years.

The average daily throughput is calculated by dividing the annual throughput by the number of workdays during the 12-month period, which begins on January 1st and ends on December 31st.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 45: Facility Permissible Emissions
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 40CFR 52, Subpart A

Item 45.1:

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

CAS No: 007446-09-5

PTE: 199,577 pounds per year

Name: SULFUR DIOXIDE

Condition 46: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 40CFR 52, Subpart A

Item 46.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

Item 46.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY SHALL NOT BURN MORE THAN 836800 GALLONS OF TOTAL LIQUID FUEL OIL AND REPROCESSED WASTE OIL/WASTE OIL DURING ANY CONSECUTIVE ROLLING 12 MONTH PERIOD. THE FACILITY WILL NOT EXCEED 100



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TONS/YR OF SULFUR DIOXIDE EMISSIONS IN
ANY CONSECUTIVE ROLLING 12 MONTH PERIOD,
CALCULATED PURSUANT TO SPECIAL CONDITION
#8 OF NOCO'S OCT 23, 1997 PSD PERMIT
(ATTACHMENT 10).

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 47: Facility Permissible Emissions

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 47.1:

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

CAS No: 0NY100-00-0

PTE: 49,990 pounds per year

Name: HAP

Condition 48: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 48.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY100-00-0

Name: HAP

Item 48.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

THE FACILITY SHALL NOT EXCEED A GASOLINE
THROUGHPUT OF 265,000,000 GALLONS PER
YEAR IN ANY CONSECUTIVE 12 MONTH PERIOD.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE



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Upper Limit of Monitoring: 265.0 million gallons
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after previous reporting period

Condition 49: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 49.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 49.2:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:
THE FACILITY SHALL NOT EXCEED A
DISTILLATE THROUGHPUT OF 265,000,000
GALLONS PER YEAR IN ANY CONSECUTIVE 12
MONTH PERIOD.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: AVIATION FUEL
Upper Limit of Monitoring: 265.0 million gallons
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after previous reporting period

Condition 50: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 50.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:
CAS No: 0NY100-00-0

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Name: HAP

Item 50.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY SHALL NOT EXCEED A DISTILLATE THROUGHPUT OF 265,000,000 GALLONS PER YEAR IN ANY CONSECUTIVE 12 MONTH PERIOD.

Work Practice Type: PROCESS MATERIAL THROUGHPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Limit of Monitoring: 265.0 million gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after previous reporting period

Condition 51: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 51.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY100-00-0

Name: HAP

Item 51.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A REPRESENTATIVE SAMPLE OF GASOLINE DELIVERED TO THE FACILITY SHALL BE TESTED FOR THE PERCENTAGE OF HAPs ON A QUARTERLY BASIS. THE RESULTS OF THE MOST RECENT QUARTERLY TESTS SHALL BE USED IN ALL MONTHLY HAP EMISSION CALCULATIONS.

Monitoring Frequency: QUARTERLY

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Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 52: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 52.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY100-00-0

Name: HAP

Item 52.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY SHALL NOT EXCEED AN
INDIVIDUAL OR TOTAL HAP EMISSION OF 10
TONS (INDIVIDUAL) OR 25 TONS (TOTAL) PER
12 MONTH CONSECUTIVE PERIOD. VERIFICATION
OF MONTHLY HAP EMISSIONS WILL BE
DETERMINED VIA EMISSION CALCULATIONS
USING EMISSION FACTORS ACCEPTABLE TO THE
DEC.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after previous reporting period

Condition 53: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 53.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant:

CAS No: 0NY100-00-0

Name: HAP

Item 53.2:

Compliance Certification shall include the following monitoring:

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Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY WILL SEND A LETTER ANNUALLY CERTIFYING THAT THE FACILITY HAS NOT EXCEEDED THE THROUGHPUT OR HAP EMISSION LIMITS STIPULATED IN THE PERMIT. THE LETTER WILL BE SENT TO THE NYSDEC BY APRIL 15th OF EACH YEAR.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after previous reporting period

Condition 54: Recycling and Emissions Reduction
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 54.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

**** Emission Unit Level ****

Condition 55: Emission Point Definition By Emission Unit



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Applicable Federal Requirement: 6NYCRR 201-6.

Item 55.1:

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

Emission Unit: 1-CMBST

Emission Point: OHTR3

Height (ft.): 24

Diameter (in.): 30

Item 55.2:

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

Emission Unit: 1-MISCO

Emission Point: 00001

Height (ft.): 15

Diameter (in.): 4

NYTMN (km.): 4767.32 NYTME (km.): 179.429 Building: TREAT CMPD

Item 55.3:

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

Emission Unit: 1-RACKS

Emission Point: LR020

Height (ft.): 10

Diameter (in.): 12

NYTMN (km.): 4767.32 NYTME (km.): 179.429 Building: LOAD RACKS

Condition 56: Process Definition By Emission Unit

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 56.1:

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

Emission Unit: 1-CMBST

Process: GAS

Source Classification Code: 1-03-006-03

Process Description: EMISSIONS FROM THE COMBUSTION OF NATURAL GAS.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

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Item 56.2:

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

Emission Unit: 1-CMBST
Process: NO2 Source Classification Code: 1-03-005-01
Process Description: EMISSIONS FROM THE COMBUSTION OF NO 2 FUEL OIL.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

Item 56.3:

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

Emission Unit: 1-CMBST
Process: NO6 Source Classification Code: 1-03-004-01
Process Description: EMISSIONS FROM THE COMBUSTION OF NO 6 FUEL OIL.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

Item 56.4:

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

Emission Unit: 1-CMBST
Process: WOL Source Classification Code: 1-03-013-02
Process Description: EMISSIONS FROM THE COMBUSTION OF WASTE OIL.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

Item 56.5:

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

Emission Unit: 1-MISCO
Process: BCL Source Classification Code: 5-04-107-40
Process Description:
EMISSIONS OF VOC AND HAPS FROM AN
ABOVEGROUND BIOCELL.

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Emission Source/Control: BIOCL - Process

Item 56.6:

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

Emission Unit: 1-RACKS

Process: L1C

Source Classification Code: 4-04-001-50

Process Description:

LOADING RACK 1 (LR020) BOTTOM LOADS THREE PRODUCTS (GASOLINE, AVIATION GASOLINE, AND ETHANOL) INTO TRUCKS. THESE VAPORS ARE COLLECTED IN A VAPOR RECOVERY UNIT. THE VAPOR RECOVERY UNIT IS OPERATED ACCORDING TO THE VRU COMPLIANCE MONITORING PLAN IN ATTACHMENT 5.

Emission Source/Control: L1VRU - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: LRTR1 - Process

Design Capacity: 81,000 gallons per hour

Item 56.7:

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

Emission Unit: 1-RACKS

Process: L1F

Source Classification Code: 4-04-001-54

Process Description:

FUGITIVE EMISSIONS FROM LEAKS THROUGH THE TRUCK VALVES DURING LOADING OF PRODUCTS AT LOADING RACK 1 (LR020) WHILE THE VAPOR RECOVERY UNIT IS IN USE.

Emission Source/Control: L1VRU - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: LRTR1 - Process

Design Capacity: 81,000 gallons per hour

Item 56.8:

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

Emission Unit: 1-RACKS

Process: L1U

Source Classification Code: 4-04-001-50

Process Description:

LOADING RACK 1 (LR020) CURRENTLY BOTTOM LOADS TWO (2) PRODUCTS (JET A AND 3,4 DICHLOROBENZOTRIFLUORIDE OR 3,4

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PARACHLOROBENZOTRIFLUORIDE) INTO TRUCKS WITHOUT VAPOR COLLECTION. ANY CHANGES IN CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4.

Emission Source/Control: LRTR1 - Process
Design Capacity: 81,000 gallons per hour

Item 56.9:

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

Emission Unit: 1-RACKS
Process: L2U
Source Classification Code: 4-04-001-50
Process Description:
LOADING RACK 2 (LR010) TOP AND BOTTOM LOADS FIVE (5) PRODUCTS (JET A, ETHANOL, LOW SULFUR NO 2 FUEL OIL, HIGH SULFUR NO 2 FUEL OIL, AND KEROSENE) INTO TRUCKS.

Emission Source/Control: LRTR2 - Process
Design Capacity: 81,000 gallons per hour

Item 56.10:

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

Emission Unit: 1-RACKS
Process: L3U
Source Classification Code: 4-04-001-50
Process Description:
LOADING RACK 3 (LR030) CURRENTLY TOP LOADS FOUR (4) PRODUCTS (WASTE OILS, NO 6 FUEL OIL, LIQUID ASPHALT, AND MONOCHLOROTOLUENE) INTO TRUCKS. ANY CHANGES IN THE CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4.

Emission Source/Control: LRTR3 - Process
Design Capacity: 40,000 gallons per hour

Item 56.11:

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

Emission Unit: 1-RACKS
Process: L4U
Source Classification Code: 4-04-001-50
s20Process Description:
LOADING RACK 4 (LR040) CURRENTLY TOP LOADS TWO (2) PRODUCTS (MONOCHLOROTOLUENE AND

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NONENE) INTO RAILCARS. ANY CHANGES IN THE CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4.

Emission Source/Control: LRRL4 - Process
Design Capacity: 60,000 gallons per hour

Item 56.12:

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

Emission Unit: 1-RACKS
Process: L5U
Process Description:
LOADING RACK 5 (LR050) TOP LOADS MOTOR OILS INTO TRUCKS.
Source Classification Code: 4-04-001-50

Emission Source/Control: LRTR5 - Process
Design Capacity: 13,500 gallons per hour

Item 56.13:

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

Emission Unit: 1-RACKS
Process: L6U
Process Description:
LOADING RACK 6 (LR060) TOP LOADS WASTE OILS INTO TRUCKS.
Source Classification Code: 4-04-001-50

Emission Source/Control: LRTR6 - Process
Design Capacity: 13,500 gallons per hour

Item 56.14:

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

Emission Unit: 1-RACKS
Process: VRU
Process Description:
FUGITIVE EMISSIONS RESULTING FROM LOSSES FROM THE VAPOR RECOVERY UNIT.
Source Classification Code: 4-04-001-53

Emission Source/Control: L1VRU - Control
Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: LRTR1 - Process
Design Capacity: 81,000 gallons per hour

Item 56.15:

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

Emission Unit: 1-TANKS

Process: FGL

Source Classification Code: 4-04-001-51

Process Description:

MISCELLANEOUS FUGITIVE HAP AND VOC
EMISSIONS FROM VALVE, PUMP, AND FLANGE
LEAKAGE.

Emission Source/Control: 0T102 - Process

Design Capacity: 2,300,000 gallons

Emission Source/Control: 0T112 - Process

Design Capacity: 84,462 gallons

Emission Source/Control: 0T113 - Process

Design Capacity: 84,462 gallons

Emission Source/Control: 0T114 - Process

Design Capacity: 84,462 gallons

Emission Source/Control: 0T119 - Process

Design Capacity: 3,400,000 gallons

Emission Source/Control: 0T120 - Process

Design Capacity: 2,500,000 gallons

Emission Source/Control: FUGTV - Process

Item 56.16:

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

Emission Unit: 1-TANKS

Process: LL1

Source Classification Code: 4-04-001-79

Process Description:

LOADING LOSSES FROM SIX (6) STORAGE
TANKS. EACH TANK IS GREATER THAN 40,000
GALLONS IN CAPACITY, HAS A SEALED INTERNAL
FLOATING ROOF, AND HOLDS EITHER GASOLINE OR
AVIATION GASOLINE. THE INTERNAL FLOATING
ROOFS ON THESE SIX TANKS ARE OF STEEL
CONSTRUCTION AND WERE INSTALLED AT VARIOUS
TIMES. ALL TANKS ARE SUBJECT TO THE
CHEMICAL STORAGE OPERATIONAL FLEXIBILITY
PLAN IN ATTACHMENT 4.

Emission Source/Control: IFR01 - Control

Control Type: FLOATING ROOF

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Emission Source/Control: 0T102 - Process
Design Capacity: 2,300,000 gallons

Emission Source/Control: 0T112 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: 0T113 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: 0T114 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: 0T119 - Process
Design Capacity: 3,400,000 gallons

Item 56.17:

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

Emission Unit: 1-TANKS

Process: LL2

Source Classification Code: 4-04-001-79

Process Description:

LOADING LOSSES FROM ONE (1) STORAGE TANK. THE TANK IS GREATER THAN 40,000 GALLONS, HAS A SEALED INTERNAL ROOF, AND HOLDS EITHER GASOLINE, AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOF ON THIS TANK IS CONSTRUCTED OF ALUMINUM.

Emission Source/Control: IFR02 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 0T120 - Process
Design Capacity: 2,500,000 gallons

Item 56.18:

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

Emission Unit: 1-TANKS

Process: SL1

Source Classification Code: 4-04-001-60

Process Description:

STANDING LOSSES FROM SIX (6) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL FLOATING ROOF, AND HOLDS EITHER GASOLINE OR AVIATION GASOLINE. THE INTERNAL FLOATING



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ROOFS ON THESE SIX TANKS ARE OF STEEL CONSTRUCTION AND WERE INSTALLED AT VARIOUS TIMES. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN IN ATTACHMENT 4.

Emission Source/Control: IFR01 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 0T102 - Process
Design Capacity: 2,300,000 gallons

Emission Source/Control: 0T112 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: 0T113 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: 0T114 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: 0T119 - Process
Design Capacity: 3,400,000 gallons

Item 56.19:

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

Emission Unit: 1-TANKS

Process: SL2

Source Classification Code: 4-04-001-60

Process Description:

STANDING LOSSES FROM ONE (1) STORAGE TANK. THE TANK IS GREATER THAN 40,000 GALLONS, HAS A SEALED INTERNAL ROOF, AND HOLDS EITHER GASOLINE, AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOF ON THIS TANK IS CONSTRUCTED OF ALUMINUM.

Emission Source/Control: IFR02 - Control
Control Type: FLOATING ROOF

Emission Source/Control: 0T120 - Process
Design Capacity: 2,500,000 gallons

Item 56.20:

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

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Emission Unit: 2-TANKS

Process: LL3

Source Classification Code: 3-05-002-12

Process Description:

LOADING LOSSES FROM THE STORAGE OF LIQUID
ASPHALT, REPROCESSED WASTE OIL/WASTE OIL,
OR DISTILLATE FUEL.

Emission Source/Control: 0T101 - Process

Design Capacity: 845,124 gallons

Emission Source/Control: 0T108 - Process

Design Capacity: 451,374 gallons

Emission Source/Control: 0T109 - Process

Design Capacity: 451,374 gallons

Emission Source/Control: 0T110 - Process

Design Capacity: 846,048 gallons

Emission Source/Control: 0T111 - Process

Design Capacity: 1,014,594 gallons

Emission Source/Control: 0T118 - Process

Design Capacity: 10,000 gallons

Emission Source/Control: 0T121 - Process

Design Capacity: 1,000,000 gallons

Emission Source/Control: 0T122 - Process

Design Capacity: 496,356 gallons

Emission Source/Control: 0T123 - Process

Design Capacity: 503,496 gallons

Emission Source/Control: 0T124 - Process

Design Capacity: 1,000,000 gallons

Emission Source/Control: 0T125 - Process

Design Capacity: 998,256 gallons

Emission Source/Control: 0T126 - Process

Design Capacity: 3,400,000 gallons

Emission Source/Control: 0T127 - Process

Design Capacity: 1,700,000 gallons

Emission Source/Control: 0T128 - Process

Design Capacity: 1,700,000 gallons



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Emission Source/Control: 0T129 - Process
Design Capacity: 211,680 gallons

Emission Source/Control: 0T130 - Process
Design Capacity: 6,300,000 gallons

Emission Source/Control: 0T131 - Process
Design Capacity: 550 gallons

Emission Source/Control: 0T132 - Process
Design Capacity: 6,000 gallons

Emission Source/Control: 0T210 - Process
Design Capacity: 504,000 gallons

Emission Source/Control: 0T215 - Process
Design Capacity: 4,200,000 gallons

Emission Source/Control: 0T217 - Process
Design Capacity: 4,000 gallons

0 Emission Source/Control: 0T218 - Process
Design Capacity: 4,000 gallons

Emission Source/Control: 0T219 - Process
Design Capacity: 300 gallons

Item 56.21:

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

Emission Unit: 2-TANKS

Process: SL3

Source Classification Code: 3-05-002-12

Process Description:

STANDING LOSSES FROM THE STORAGE OF LIQUID
ASPHALT.

Emission Source/Control: 0T101 - Process
Design Capacity: 845,124 gallons

Emission Source/Control: 0T108 - Process
Design Capacity: 451,374 gallons

Emission Source/Control: 0T109 - Process
Design Capacity: 451,374 gallons

Emission Source/Control: 0T110 - Process



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Design Capacity: 846,048 gallons

Emission Source/Control: 0T111 - Process
Design Capacity: 1,014,594 gallons

Emission Source/Control: 0T118 - Process
Design Capacity: 10,000 gallons

Emission Source/Control: 0T121 - Process
Design Capacity: 1,000,000 gallons

Emission Source/Control: 0T122 - Process
Design Capacity: 496,356 gallons

Emission Source/Control: 0T123 - Process
Design Capacity: 503,496 gallons

Emission Source/Control: 0T124 - Process
Design Capacity: 1,000,000 gallons

Emission Source/Control: 0T125 - Process
Design Capacity: 998,256 gallons

Emission Source/Control: 0T126 - Process
Design Capacity: 3,400,000 gallons

Emission Source/Control: 0T127 - Process
Design Capacity: 1,700,000 gallons

Emission Source/Control: 0T128 - Process
Design Capacity: 1,700,000 gallons

Emission Source/Control: 0T129 - Process
Design Capacity: 211,680 gallons

Emission Source/Control: 0T130 - Process
Design Capacity: 6,300,000 gallons

Emission Source/Control: 0T131 - Process
Design Capacity: 550 gallons

Emission Source/Control: 0T132 - Process
Design Capacity: 6,000 gallons

Emission Source/Control: 0T215 - Process
Design Capacity: 4,200,000 gallons

Emission Source/Control: 0T217 - Process



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Design Capacity: 4,000 gallons

Emission Source/Control: 0T218 - Process

Design Capacity: 4,000 gallons

Emission Source/Control: 0T219 - Process

Design Capacity: 300 gallons

Item 56.22:

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

Emission Unit: 3-TANKS

Process: LL4

Source Classification Code: 4-07-146-98

Process Description:

LOADING LOSSES FROM TEN (10) STORAGE
TANKS. THE TANKS EACH HAVE A CAPACITY OF
20000 GALLONS AND HOLD WASTE OIL WITH A
VAPOR PRESSURE OF LESS THAN 6.8 PSIA.

Emission Source/Control: 0T147 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T148 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T149 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T150 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T151 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T152 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T153 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T154 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T155 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T156 - Process

Design Capacity: 20,000 gallons

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Item 56.23:

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

Emission Unit: 3-TANKS

Process: LL5

Source Classification Code: 4-07-146-98

Process Description:

LOADING LOSSES FROM THREE (3) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 30000 GALLONS AND HOLD DISTILLATE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. THESE TANKS ALSO ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4 WHEN NOT STORING DISTILLATE OIL.

Emission Source/Control: 0T115 - Process

Design Capacity: 30,000 gallons

Emission Source/Control: 0T116 - Process

Design Capacity: 30,000 gallons

Emission Source/Control: 0T117 - Process

Design Capacity: 30,000 gallons

Item 56.24:

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

Emission Unit: 3-TANKS

Process: SL4

Source Classification Code: 4-07-146-97

Process Description:

STANDING STORAGE LOSSES FROM TEN (10) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 20000 GALLONS AND HOLD WASTE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA.

Emission Source/Control: 0T147 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T148 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T149 - Process

Design Capacity: 20,000 gallons

Emission Source/Control: 0T150 - Process

Design Capacity: 20,000 gallons

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Emission Source/Control: 0T151 - Process
Design Capacity: 20,000 gallons

Emission Source/Control: 0T152 - Process
Design Capacity: 20,000 gallons

Emission Source/Control: 0T153 - Process
Design Capacity: 20,000 gallons

Emission Source/Control: 0T154 - Process
Design Capacity: 20,000 gallons

Emission Source/Control: 0T155 - Process
Design Capacity: 20,000 gallons

Emission Source/Control: 0T156 - Process
Design Capacity: 20,000 gallons

Item 56.25:

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

Emission Unit: 3-TANKS

Process: SL5

Source Classification Code: 4-07-146-97

Process Description:

STANDING STORAGE LOSSES FROM THREE (3) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 30000 GALLONS AND HOLD DISTILLATE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. THESE TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN IN ATTACHMENT 4 WHEN NOT STORING DISTILLATE OIL.

Emission Source/Control: 0T115 - Process
Design Capacity: 30,000 gallons

Emission Source/Control: 0T116 - Process
Design Capacity: 30,000 gallons

Emission Source/Control: 0T117 - Process
Design Capacity: 30,000 gallons

Condition 57: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

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



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Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBST

Item 57.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 58: Vapor collection system requirements
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 229.3(d)

Item 58.1:

This Condition applies to Emission Unit: 1-RACKS

Item 58.2:

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

- i. hatch loading systems which include a loading arm with a vapor collection system adaptor, a vapor-tight seal between the adaptor and hatch, and a method of preventing drainage of liquid gasoline from the loading arm when it is removed from the hatch or for complete drainage of the loading arm before such removal;
- ii. bottom loading systems which include a connecting pipe or hose equipped with vapor-tight fittings that will automatically and immediately close upon disconnection to prevent release of gasoline vapors;
- iii. a connecting device between the gasoline transport vehicle and the dispensing equipment that interrupts the flow of gasoline to prevent overfilling and spillage; and
- iv. a system that prevents the flow of gasoline into gasoline transport vehicles unless the fuel product line and vapor collection system are both connected so as to prevent liquid product leaks and vapor loss.

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**Condition 59: No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.
Effective between the dates of 07/10/2001 and 07/10/2006**

Applicable Federal Requirement: 6NYCRR 230.2(a)(1)

Item 59.1:

This Condition applies to Emission Unit: 1-RACKS

Item 59.2:

No person may transfer or allow the transfer of gasoline into storage tanks at gasoline dispensing sites whose annual throughput exceeds 120,000 gallons, unless the site has been properly registered pursuant to section 230.7 of 6 NYCRR Part 230 and the gasoline storage tank is equipped with:

- i. a stage I vapor collection system consisting of a vapor-tight return line from the storage tank, or its vent, to the gasoline transport vehicle;
- ii. a properly installed on-site vapor control system connected to a vapor collection system; or
- iii. an equivalent control system.

**Condition 60: Requirements for gasoline transport vehicles delivering to Stage I controlled dispensing sites.
Effective between the dates of 07/10/2001 and 07/10/2006**

Applicable Federal Requirement: 6NYCRR 230.2(f)

Item 60.1:

This Condition applies to Emission Unit: 1-RACKS

Item 60.2:

Owners and/or operators of gasoline transport vehicles and gasoline dispensing sites subject to stage I vapor collection or vapor control requirements must:

1. install all necessary stage I vapor collection and control systems, and make any modifications necessary to comply with the requirements;
2. provide adequate training and written instructions to the operator of the affected gasoline transport vehicle;
3. replace, repair, or modify any worn or ineffective component or design element to ensure the vapor-tight integrity of the stage I vapor collection and vapor control systems;
4. connect and ensure proper operation of the stage I vapor collection and control systems whenever gasoline is being loaded, unloaded or dispensed; and
5. connect the Stage I vapor collection hose before connecting the gasoline delivery hose to the gasoline



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transport vehicle, and disconnect the gasoline delivery hose before disconnecting the Stage I vapor collection hose from the gasoline transport vehicle.

Condition 61: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 61.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 61.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: PRESSURE CHANGE

Upper Limit of Monitoring: 3.0 inches of water

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 62: Repairs to gasoline transport vehicles
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 62.1:

This Condition applies to Emission Unit: 1-RACKS

Item 62.2:

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

Condition 63: Labelling of gasoline transport vehicles
Effective between the dates of 07/10/2001 and 07/10/2006



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

Item 63.1:

This Condition applies to Emission Unit: 1-RACKS

Item 63.2:

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

Condition 64: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 230.4(b)

Item 64.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PRESSURE CHANGE

Upper Limit of Monitoring: 3.0 inches of water

Reference Test Method: EPA Method 27

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 65: Leak limit

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 230.4(e)

Item 65.1:

This Condition applies to Emission Unit: 1-RACKS



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Item 65.2:

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

Condition 66: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 230.4(f)

Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 66.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a gasoline transport vehicle will allow a compartment on said vehicle to be loaded under a pressure exceeding 18 inches of water gauge, to be unloaded under a vacuum exceeding 6 inches of water gauge, or to be unloaded under pressure.

Parameter Monitored: PRESSURE

Lower Limit of Monitoring: 6.0 inches of water

Upper Limit of Monitoring: 18.0 inches of water

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 67: Dome covers

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 230.4(g)

Item 67.1:

This Condition applies to Emission Unit: 1-RACKS

Item 67.2:

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



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Condition 68: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 230.6(a)

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 69: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 6NYCRR 230.6(b)

Item 69.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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with the gasoline transport vehicle.

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 70: Emissions from new emission sources and/or modifications
Effective between the dates of 07/10/2001 and 07/10/2006**

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 70.1:

This Condition applies to Emission Unit: 1-RACKS Emission Point: LR020
Process: L1U Emission Source: LRTR1

Item 70.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 71: Internal floating roofs required in fixed roof tanks
storing petroleum products
Effective between the dates of 07/10/2001 and 07/10/2006**

Applicable Federal Requirement: 6NYCRR 229.3(a)

Item 71.1:

This Condition applies to Emission Unit: 1-TANKS

Item 71.2:

No person may store petroleum liquid in a fixed roof tank subject to 6 NYCRR Part 229 unless:

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

**Condition 72: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006**

Applicable Federal Requirement: 6NYCRR 229.5(a)

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Item 72.2:

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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 73: Compliance Certification
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable Federal Requirement: 40CFR 60, NSPS Subpart Kb

Item 73.1:

The Compliance Certification activity will be performed for:

Emission Unit: 3-TANKS

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE FACILITY WILL MAINTAIN RECORDS SHOWING THE DIMENSION OF EACH STORAGE TANK IN UNIT 3 TANKS AND AN ANALYSIS SHOWING THE CAPACITY OF EACH STORAGE TANK. SUCH RECORDS WILL BE MAINTAINED FOR THE LIFE OF EACH TANK.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 74: Records of the dimension and capacity of storage vessels
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 74.1:

This Condition applies to Emission Unit: 3-TANKS

Item 74.2:

The owner or operator of each storage vessel, as specified in 40CFR60.110b(a), shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the



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storage vessel. These records shall be kept for the life of the storage vessel.

Each storage vessel with a design capacity less than 75 cubic meters is subject to no provision of 40CFR60 Subpart Kb other than those required by the above paragraph.

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STATE ONLY ENFORCEABLE CONDITIONS

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

Condition 75: General Provisions
Effective between the dates of 07/10/2001 and 07/10/2006

Applicable State Requirement: 6NYCRR 201-5.

Item 75.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 75.2:

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.

Item 75.3:

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

Condition 76: Contaminant List
Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 76.1:

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: 007446-09-5
Name: SULFUR DIOXIDE

Condition 77: Air pollution prohibited
Effective between the dates of 07/10/2001 and 07/10/2006



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Applicable State Requirement: 6NYCRR 211.2

Item 77.1:

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 78: Compliance Certification

Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 78.1:

The Compliance Certification activity will be performed for the Facility.

Item 78.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use and residual fuel oil which contains sulfur in a quantity exceeding the following limitation. This limitation applies in the Erie County areas of the City of Lackawanna and South Buffalo (defined as the area in the City of Buffalo south of a line from the intersection of IR 190 and Route 5 and proceeding east along IR 190 to the city line). Records of the sulfur content of all residual fuel oil sold, purchased, or used must be maintained on site for a period of 5 years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Limit of Monitoring: 1.1 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

0 Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 79: Compliance Certification



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Effective between the dates of 07/10/2001 and 07/10/2006

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

Item 79.1:

The Compliance Certification activity will be performed for the Facility.

Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any residual oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Limit of Monitoring: 1.5 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)