

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: 05/22/2007 Expiration Date: 05/21/2012

Permit Issued To: NOCO ENERGY CORP
2440 SHERIDAN DR
TONAWANDA, NY 14150

Contact: DENNIS L BARRY
NOCO ENERGY CORP
PO BOX 86
TONAWANDA, NY 14151-0086

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.

This facility has sixty-eight (68) storage tanks of various capacity and stored material. There are eight (8) vertical storage tanks which store gasoline, aviation gasoline, ethanol, or other liquid products with a vapor pressure greater than 1.5 psia. All eight (8) tanks are equipped with sealed internal floating roofs. Twenty-two (22) 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.
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.

This petroleum and chemical bulk storage terminal is comprised of 5 emission units. Emission unit "1-Tanks" includes eight gasoline storage tanks with internal floating roofs. "2-Tanks" encompasses twenty two storage tanks capable of storing liquid asphalt, fuel oils, reprocessed waste oil/waste oil, or bio-diesel. "3-Tanks" covers thirteen horizontal petroleum storage tanks which would be exempt from Part 201 permitting but for the applicability of certain NSPS requirements under 40 CFR Part 60, Subpart Kb. All of the permitted tanks are subject to the operational flexibility protocol. The facility has six loading rack areas (5 truck loading / 1 rail car loading) which are set forth in emission unit "1-Racks". The rack used to load gasoline is equipped with a vapor recovery unit. The chemicals loaded by certain racks are subject to the operational flexibility protocol as well. Although all of the combustion units listed in "1-Cmbst" are covered by specific part 201 exemptions, NOCO has accepted federally-enforceable SO₂ emissions limitations which enable NOCO to avoid the PSD requirements of 40 CFR Part 52.21. NOCO utilizes these combustion units to heat tanks and pipelines for heavy products such as asphalt, residual oils and waste oils and also to provide space heat for the buildings. (Emission Unit "1-Misco", which included the stack associated with the bio-remediation facility, has been removed as an emission unit from the facility Title V Permit, as the bio-cell has been closed).

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

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included as part of this permit.

Permit Administrator: DAVID S DENK
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for permit renewals, modifications and transfers

Applications for Permit Renewals and Modifications

Permit modifications, suspensions or revocations by the Department

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of application for permit modification or renewal-REGION 9
HEADQUARTERS



DEC GENERAL CONDITIONS

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

For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

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

Item 3.1:

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

Item 3.2:

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

Item 3.3:



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

Condition 4: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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 4.2:

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

Item 4.3:

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

Condition 5: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 5.1:

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

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

Condition 6: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 6.1:

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

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;

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

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

Condition 7: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.6(a)

Item 7.1:

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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TONAWANDA, NY 14150

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

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

Permit Effective Date: 05/22/2007

Permit Expiration Date: 05/21/2012



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-6.5(f): Compliance Certification
- 25 6NYCRR 201-6.5(g): Non Applicable requirements
- 26 6NYCRR 201-7.1: Facility Permissible Emissions
- *27 6NYCRR 201-7.1: Capping Monitoring Condition
- *28 6NYCRR 201-7.1: Capping Monitoring Condition
- *29 6NYCRR 201-7.1: Capping Monitoring Condition
- *30 6NYCRR 201-7.1: Capping Monitoring Condition
- *31 6NYCRR 201-7.1: Capping Monitoring Condition
- 32 6NYCRR 225-1.2(a)(2): Compliance Certification
- 33 6NYCRR 225-1.2(a)(2): Compliance Certification
- 34 6NYCRR 225-1.8(b): Compliance Certification
- 35 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 36 6NYCRR 225-3.3(a): Compliance Certification
- 37 6NYCRR 225-3.4(a): Compliance Certification
- 38 6NYCRR 225-3.4(b): Compliance Certification
- 39 6NYCRR 225-3.4(d): Compliance Certification



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- 40 6NYCRR 229.3(a): Internal floating roofs required in fixed roof tanks storing petroleum products
- 41 6NYCRR 229.4(a): Testing and monitoring requirements
- 42 6NYCRR 229.5(c): Compliance Certification

Emission Unit Level

- 43 6NYCRR 201-6: Process Definition By Emission Unit

EU=1-CMBST

- 44 6NYCRR 227-1.3(a): Compliance Certification

EU=1-RACKS

- 45 6NYCRR 212.4(a): Emissions from new emission sources and/or modifications
- 58 6NYCRR 229.3(d): Compliance Certification
- 46 6NYCRR 230.2(a)(1): No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.
- 47 6NYCRR 230.2(f): Requirements for gasoline transport vehicles delivering to Stage I controlled dispensing sites.
- 48 6NYCRR 230.4(a)(1): Compliance Certification
- 49 6NYCRR 230.4(a)(2): Repairs to gasoline transport vehicles
- 50 6NYCRR 230.4(a)(3): Labelling of gasoline transport vehicles
- 51 6NYCRR 230.4(b): Compliance Certification
- 52 6NYCRR 230.4(e): Leak limit
- 53 6NYCRR 230.4(f): Compliance Certification
- 54 6NYCRR 230.4(g): Dome covers
- 55 6NYCRR 230.6(a): Compliance Certification
- 56 6NYCRR 230.6(b): Compliance Certification
- 57 40CFR 64: Compliance Certification

EU=1-TANKS

- 59 6NYCRR 229.5(a): Compliance Certification

EU=3-TANKS

- 60 40CFR 60.116b(b), NSPS Subpart Kb: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

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

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to



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

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6NYCRR Part 201-6.5(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in

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order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

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Act;

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

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

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

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

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit



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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

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

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

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

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

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 200.6

Item 1.1:

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit



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any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: Fees

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 3.1:

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

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

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

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

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable



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regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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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 Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: SEMI-ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

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

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Requirements for compliance certifications with terms and

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conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
 - and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:



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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 BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 7.1:
The Compliance Certification activity will be performed for the Facility.

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

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



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Condition 8: Recordkeeping requirements
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

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

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 215

Item 9.1:

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

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

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

Condition 10: Maintenance of Equipment
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 200.7

Item 10.1:

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



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Condition 11: Recycling and Salvage
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 12.1:

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 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 13.1:

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

Condition 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 14.1:

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

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Condition 15: Standard Requirement - Provide Information
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 15.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 16: General Condition - Right to Inspect
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 16.1:

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

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 17: Standard Requirements - Progress Reports
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 17.1:

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



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(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 18: Off Permit Changes

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 18.1:

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

Condition 19: Required Emissions Tests

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 19.1:

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

Condition 20: Visible Emissions Limited

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 211.3

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Item 20.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 21: Accidental release provisions.

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 40CFR 68

Item 21.1:

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
 - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
 - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
C/O CSC
8400 Corporate Dr
Carrollton, Md. 20785

Condition 22: Recycling and Emissions Reduction

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 22.1:

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

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

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Condition 23: Emission Unit Definition
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1:

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 eleven (11) exempt sources. Included in the eleven (11) exempt sources are the two hot oil heaters that were installed as part of the asphalt rail unloading.

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 and bio-fuels.

Item 23.2:

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.

Item 23.3:

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

Emission Unit: 1-TANKS

Emission Unit Description:

Eight (8) 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. Tanks T101 and T210 were removed from the 2-Tanks and added to the 1-Tanks. An internal floating roof was installed in each tank in compliance with 1-Tanks requirements. Tanks T101 and T210 are also covered by the

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operational flexibility protocol.

Item 23.4:

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

Emission Unit: 2-TANKS

Emission Unit Description:

Twenty-two (22) storage tanks of different volumes are used to store liquid asphalt, fuel oil, reprocessed waste 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.

Item 23.5:

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.

Condition 24: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

Item 24.2:

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:



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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-0118, 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 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.
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 PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



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Condition 25: Non Applicable requirements
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 25.1:

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.

Condition 26: Facility Permissible Emissions
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 26.1:

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

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

CAS No: 007446-09-5 PTE: 199,577 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY100-00-0 PTE: 49,990 pounds per year
Name: HAP

Condition 27: Capping Monitoring Condition
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 27.1:

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

40CFR 63-R.420(a)(2)

Item 27.2:

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

Item 27.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department



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representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 27.4:

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

Item 27.5:

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

Item 27.6:

The Compliance Certification activity will be performed for the Facility.

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

Item 27.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
The facility shall not exceed an individual HAP emission of 10 tons in any consecutive 12 month period.
Verification of monthly emissions will be determined via emission calculations using emission factors acceptable to the DEC.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: GASOLINE
Parameter Monitored: HAP
Upper Permit Limit: 10 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 28: Capping Monitoring Condition
Effective between the dates of 05/22/2007 and 05/21/2012

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Applicable Federal Requirement: 6NYCRR 201-7.1

Item 28.1:

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

40CFR 52-A

Item 28.2:

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

Item 28.3:

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

Item 28.4:

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

Item 28.5:

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

Item 28.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 28.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall not exceed 100 tons/year of Sulfur Dioxide (SO₂) emissions in any consecutive 12 month

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period. The facility will use the following calculations based on emission factors in AP-42 Table 1.3-1 to demonstrate compliance for the combustion of #2 and #6 fuel oil and reprocessed waste oil/waste oil:

(AP 42 Table 1.3-1 emission factors for #2 and #6 fuel oil) x total amount of #2 and #6 fuel oil combusted divided by 1000 (lbs/1000 gallon) divided by 2000 = total tons/year of SO₂.

The facility will use the following calculation based on emission factors in AP-42 Table 1.3-1 to demonstrate compliance for the combustion of reprocessed waste oil/waste oil:

(AP 42 Table 1.3-1 emission factors for reprocessed waste oil/waste oil) x total amount of reprocessed waste oil/waste oil combusted divided by 1000 (lbs /1000 gallon) divided by 2000 = total tons/year of SO₂.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: WASTE OIL
Upper Permit Limit: 100 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 29: Capping Monitoring Condition
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 29.1:

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

40CFR 63-R.420(a)(2)

Item 29.2:

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

Item 29.3:



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

Item 29.4:

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

Item 29.5:

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

Item 29.6:

The Compliance Certification activity will be performed for the Facility.

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

Item 29.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:
The facility shall not exceed a gasoline and/or ethanol throughput of 300,000,000 gallons per year in any consecutive 12 month period.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: GASOLINE
Upper Permit Limit: 300,000,000 gallons
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Capping Monitoring Condition
Effective between the dates of 05/22/2007 and 05/21/2012

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Applicable Federal Requirement: 6NYCRR 201-7.1

Item 30.1:

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

40CFR 63-R.420(a)(2)

Item 30.2:

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

Item 30.3:

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

Item 30.4:

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

Item 30.5:

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

Item 30.6:

The Compliance Certification activity will be performed for the Facility.

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

Item 30.7:

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.

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Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Upper Permit Limit: 265,000,000 gallons
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 31: Capping Monitoring Condition
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-7.1

Item 31.1:

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

40CFR 63-R.420(a)(2)

Item 31.2:

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

Item 31.3:

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

Item 31.4:

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

Item 31.5:

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

Item 31.6:

The Compliance Certification activity will be performed for the Facility.



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Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

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

Item 31.7:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
The facility shall not exceed a total HAP emission of 25 tons in any consecutive 12 month period. Verification of monthly HAP emissions will be determined via emission calculations using emission factors acceptable to the DEC.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: GASOLINE
Parameter Monitored: HAP
Upper Permit Limit: 25 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 32: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012
Applicable Federal Requirement: 6NYCRR 225-1.2(a)(2)

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Item 32.2:

Compliance Certification shall include the following monitoring:

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

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Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.5 percent by weight
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 33: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.1 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 34: Compliance Certification



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Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any person who sells oil and/or coal must retain, for at least three years, records containing the following information:

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

Such fuel analyses must contain as a minimum:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

**Condition 35: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 05/22/2007 and 05/21/2012**

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

Item 35.1:

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR



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Part 225-1, must be done in accordance with methods acceptable to the commissioner.

Condition 36: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

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:

Any gasoline sold or supplied to a retailer or wholesale purchaser-consumer, shall have a Reid vapor pressure (RVP) no greater than 9.0 pounds per square inch (psi), during the period May 1st through September 15th of each year. Sampling and testing will be done according to a protocol approved by the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: GASOLINE

Parameter Monitored: REID VAPOR PRESSURE

Upper Permit Limit: 9.0 pounds per square inch absolute

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 37: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

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



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Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 38: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following records shall be provided with gasoline which is distributed from this facility:

- (1) A copy of the certification produced for paragraph (a)(3) of 6 NYCRR Part 225-3.4.
- (2) Documentation of the maximum RVP of the gasoline if the gasoline was subject to section 225-3.3 of this Subpart.



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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 39: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

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: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



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Condition 40: Internal floating roofs required in fixed roof tanks storing petroleum products
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 229.3(a)

Item 40.1:

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 41: Testing and monitoring requirements
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 229.4(a)

Item 41.1:

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 42: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 229.5(c)

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 any gasoline loading terminal having an average daily throughput of greater than 20,000 gallons of gasoline must maintain a record of the average daily gasoline throughput, in gallons, at the facility for a period of five years.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



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Facility DEC ID: 9146400090

Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

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

Condition 43: Process Definition By Emission Unit
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 43.1:

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

Item 43.2:

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 43.3:

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

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Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

Item 43.4:

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
REPROCESSED WASTE OIL/ WASTE OIL.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

Item 43.5:

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.

Emission Source/Control: L1VRU - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: LRTR1 - Process

Design Capacity: 81,000 gallons per hour

Item 43.6:

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

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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 43.7:

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
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 43.8:

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 43.9:

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:



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LOADING RACK 3 (LR030) CURRENTLY TOP LOADS FOUR (4) PRODUCTS (REPROCESSED WASTE OIL/WASTE OIL, 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.

Emission Source/Control: LRTR3 - Process

Design Capacity: 40,000 gallons per hour

Item 43.10:

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

Process Description:

LOADING RACK 4 (LR040) CURRENTLY TOP LOADS TWO (2) PRODUCTS (MONOCHLOROTOLUENE AND NONENE) INTO RAILCARS. ANY CHANGES IN THE CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL.

Emission Source/Control: LRRL4 - Process

Design Capacity: 60,000 gallons per hour

Item 43.11:

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

Emission Unit: 1-RACKS

Process: L5U

Source Classification Code: 4-04-001-50

Process Description:

LOADING RACK 5 (LR050) TOP LOADS MOTOR OILS INTO TRUCKS.

Emission Source/Control: LRTR5 - Process

Design Capacity: 13,500 gallons per hour

Item 43.12:

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

Emission Unit: 1-RACKS

Process: L6U

Source Classification Code: 4-04-001-50

Process Description:

LOADING RACK 6 (LR060) TOP LOADS REPROCESSED WASTE OIL/WASTE OIL INTO TRUCKS.

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Emission Source/Control: LRTR6 - Process

Design Capacity: 13,500 gallons per hour

Item 43.13:

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

Emission Unit: 1-RACKS

Process: VRU

Source Classification Code: 4-04-001-53

Process Description:

FUGITIVE EMISSIONS RESULTING FROM LOSSES
FROM THE VAPOR RECOVERY UNIT.

Emission Source/Control: LIVRU - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: LRTR1 - Process

Design Capacity: 81,000 gallons per hour

Item 43.14:

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: FUGTV - Process

Item 43.15:

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 FIVE (5) 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, ETHANOL OR OTHER LIQUID
PRODUCTS WITH A VAPOR PRESSURE GREATER THAN
1.5 PSIA. THE INTERNAL FLOATING ROOFS ON
THESE TANKS ARE OF STEEL CONSTRUCTION. ALL
TANKS ARE SUBJECT TO THE CHEMICAL STORAGE
OPERATIONAL FLEXIBILITY PLAN.

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

Emission Source/Control: OT102 - Process
Design Capacity: 2,300,000 gallons

Emission Source/Control: OT112 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: OT113 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: OT114 - Process
Design Capacity: 84,462 gallons

Emission Source/Control: OT119 - Process
Design Capacity: 3,400,000 gallons

Item 43.16:

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 THREE (3) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, 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 ROOFS ON THESE TANKS ARE CONSTRUCTED OF ALUMINUM. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

Emission Source/Control: OT101 - Process
Design Capacity: 845,124 gallons

Emission Source/Control: OT120 - Process
Design Capacity: 2,500,000 gallons

Emission Source/Control: OT210 - Process
Design Capacity: 504,000 gallons

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Item 43.17:

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 FIVE (5) 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, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOFS ON THESE TANKS ARE OF STEEL CONSTRUCTION. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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 43.18:

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 THREE (3) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL ROOF, AND HOLDS EITHER GASOLINE, AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS

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WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOFS ON THESE TANKS ARE CONSTRUCTED OF ALUMINUM. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

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

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

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

Item 43.19:

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

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, DISTILLATE FUEL OR BIO-DIESEL. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

Emission Source/Control: 0T107 - Process
Design Capacity: 2,346,960 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: 5,000 gallons

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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: 0T211 - Process
Design Capacity: 1,260,000 gallons

Emission Source/Control: 0T212 - Process
Design Capacity: 2,310,000 gallons

Emission Source/Control: 0T213 - Process
Design Capacity: 504,000 gallons

Emission Source/Control: 0T214 - Process
Design Capacity: 1,050,000 gallons

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

Emission Source/Control: 0T216 - Process

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Design Capacity: 3,301,280 gallons

Item 43.20:

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, REPROCESSED WASTE OIL/WASTE OIL, DISTILLATE FUEL OR BIO-DIESEL. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

Emission Source/Control: 0T107 - Process

Design Capacity: 2,346,960 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: 5,000 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



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Facility DEC ID: 9146400090

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: 0T211 - Process
Design Capacity: 1,260,000 gallons

Emission Source/Control: 0T212 - Process
Design Capacity: 2,310,000 gallons

Emission Source/Control: 0T213 - Process
Design Capacity: 504,000 gallons

Emission Source/Control: 0T214 - Process
Design Capacity: 1,050,000 gallons

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

Emission Source/Control: 0T216 - Process
Design Capacity: 3,301,280 gallons

Item 43.21:

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 REPROCESSED WASTE OIL/WASTE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.



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Facility DEC ID: 9146400090

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

Item 43.22:

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.
ALL TANKS ARE SUBJECT TO THE CHEMICAL
STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

Emission Source/Control: 0T116 - Process

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Facility DEC ID: 9146400090



Design Capacity: 30,000 gallons

Emission Source/Control: 0T117 - Process

Design Capacity: 30,000 gallons

Item 43.23:

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 REPROCESSED WASTE OIL/WASTE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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



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Facility DEC ID: 9146400090

Design Capacity: 20,000 gallons

Item 43.24:

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. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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 44: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBST

Item 44.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any

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time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

**Condition 45: Emissions from new emission sources and/or modifications
Effective between the dates of 05/22/2007 and 05/21/2012**

Applicable Federal Requirement: 6NYCRR 212.4(a)

Item 45.1:

This Condition applies to Emission Unit: 1-RACKS

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Item 45.2:

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 58: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 229.3(d)

Item 58.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 58.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The gasoline vapor collection and control systems must capture gasoline vapors during loading and unloading of gasoline transport vehicles and must condense, absorb, adsorb, or combust gasoline vapors so emissions do not exceed 0.67 pounds/1000 gallons.

Parameter Monitored: VOC

Upper Permit Limit: 0.67 pounds per 1000 gallons

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 46: No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 46.1:

This Condition applies to Emission Unit: 1-RACKS

Item 46.2:

No person may transfer or allow the transfer of gasoline into storage tanks at gasoline dispensing sites



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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 47: Requirements for gasoline transport vehicles delivering to Stage I controlled dispensing sites.

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 230.2(f)

Item 47.1:

This Condition applies to Emission Unit: 1-RACKS

Item 47.2:

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

Condition 48: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 48.1:

The Compliance Certification activity will be performed for:

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Emission Unit: 1-RACKS

Item 48.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Manufacturer Name/Model Number: Gasoline Transport Vehicle

Parameter Monitored: PRESSURE CHANGE

Upper Permit Limit: 3.0 inches of water

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 49: Repairs to gasoline transport vehicles
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 49.1:

This Condition applies to Emission Unit: 1-RACKS

Item 49.2:

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 50: Labelling of gasoline transport vehicles
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 50.1:

This Condition applies to Emission Unit: 1-RACKS

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Item 50.2:

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 51: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 230.4(b)

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PRESSURE CHANGE

Upper Permit Limit: 3.0 inches of water

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 52: Leak limit

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 230.4(e)

Item 52.1:

This Condition applies to Emission Unit: 1-RACKS



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Item 52.2:

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 53: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 230.4(f)

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 53.2:

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 Permit Limit: 6.0 inches of water

Upper Permit Limit: 18.0 inches of water

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 54: Dome covers

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 230.4(g)

Item 54.1:

This Condition applies to Emission Unit: 1-RACKS



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Item 54.2:

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

Condition 55: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 230.6(a)

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 56: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 230.6(b)

Item 56.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS



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Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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

Condition 57: Compliance Certification

Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 40CFR 64

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 57.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Gasoline and distillate oil vapors from tank trucks are collected and controlled with a Vapor Recovery Unit (VRU).

Volatile Organic Compounds (VOC) emissions are controlled by a John Zink (model S3-AAD-3-90-80-8) VRU. The VRU is guaranteed by the manufacturer to have a VOC emission control rate of 35 milligrams per liter or less of gasoline/liquid product loaded. The VRU is equipped with a light at the control panel. If the VRU is not in a normal state, then the light goes on at the control panel.

The terminal's programmable logic controller (PLC) is programmed to annunciate VRU status based on hardwired inputs from the VRU control system. The VRU is operational while the light is off.

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The following is the compliance assurance monitoring (CAM) plan for the VRU :

INDICATOR : Carbon regeneration cycle vacuum pressure

MEASUREMENT APPROACH: Carbon bed when not in use collecting VOC is in regeneration cycle. Regeneration performed with bed under vacuum in combination with air purge. Pressure gauge in line measures pressure in inches of Hg and verifies that bed is under vacuum and regeneration in progress.

INDICATOR RANGE: Vacuum during regeneration > 26" Hg attained. If the vacuum is not attained for an entire cycle, corrective action is to be taken.

DATA REPRESENTATIVENESS: Pressure or vacuum gauge placed in line such that it measures vacuum placed on carbon bed directly. If vacuum placed on carbon bed is not adequate, VOC's may not be recovered and carbon bed not adequately regenerated. Bed, if not regenerated properly, will have reduced capacity for sorption of volatile organics.

QA/QC PRACTICES AND CRITERIA: VRU maintenance is performed in accordance with manufacturer recommendations. Pressure gauge calibrations performed annually.

MONITORING FREQUENCY AND DATA COLLECTION PROCEDURE: VRU inspected daily to ensure it is working and the light is on. Data recorded on a daily basis. Readings collected and recorded on a weekly basis by direct reading of vacuum gauge. Duration of reading at least one generation cycle of each bed, approximately 30 minutes.

A monitoring report must be submitted semiannually with the required compliance certifications and which summarizes the number, duration, and cause of exceedances and corrective actions taken. Monitoring records are kept on-site. These records are to be maintained for a period of five years.

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A new VRU will be installed during the term of this permit. The following describes the emission test:

1. The permittee shall test the loading rack control (Vapor Recovery Unit) for compliance with the emission limit listed above: [0.67 pounds per 1,000 gallons of gasoline loaded].
2. The permittee shall conduct emission tests to determine the emission rates of total hydrocarbon (THC) and volatile organic compounds (VOC) within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s). The emission test shall be performed at least 180 days prior to expiration of this permit. The results of the tests shall be included in the permit renewal application.
3. The permittee shall submit the proposed emission tests protocol to the Agency for approval at least sixty (60) days prior to the test.
4. The permittee shall notify the Department at least two (2) weeks in advance of the date and time of the proposed emission tests so that an observer may be present.
5. The performance test results shall be submitted to the Department's Regional Air Program Manager for review within sixty (60) days of completion of testing. The emissions shall be reported in the following units:
 6. Concentration as measured in parts per million (ppm/ppmv), and ppmvd.
 7. Specific output in mg/l gasoline loaded.
 8. Total output in mass rate of lb/hr, and lb/1000 gallons gasoline loaded.
9. The Department reserves the right to revise the emission standard based on information obtained during the performance testing, and when more stringent controls are required.

Manufacturer Name/Model Number: JOHN ZINK (MODEL S3-AAD-3-90-80-8)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 59: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable Federal Requirement: 6NYCRR 229.5(a)

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a facility containing any fixed roof or external floating roof petroleum liquid storage tank having a capacity equal to or greater than 40,000 gallons must maintain a record of the capacity, in gallons, of each such storage tank at the facility for a period of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2007.
Subsequent reports are due every 6 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 05/22/2007 and 05/21/2012

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

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: 3-TANKS

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

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Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 61: Contaminant List
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable State Requirement: ECL 19-0301

Item 61.1:

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



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

CAS No: 0NY100-00-0

Name: HAP

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY998-00-0

Name: VOC

Condition 62: Unavoidable noncompliance and violations
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable State Requirement: 6NYCRR 201-1.4

Item 62.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant



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emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 63: Air pollution prohibited
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable State Requirement: 6NYCRR 211.2

Item 63.1:

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 64: Compliance Demonstration
Effective between the dates of 05/22/2007 and 05/21/2012

Applicable State Requirement: 6NYCRR 211.2

Item 64.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 64.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Maintain monthly weighted average temperature of all asphalt storage and marketing tanks to 325 degrees Fahrenheit. Maintain tank temperature records which are acceptable to the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

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Parameter Monitored: ASPHALT

Upper Permit Limit: 325 degrees Fahrenheit

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2007.

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