



**Facility Identification Data**

Name: RIVERHEAD TERMINAL-CONOCOPHILLIPS  
Address: 212 SOUND SHORE RD  
RIVERHEAD, NY 11901

**Owner/Firm**

Name: CONOCOPHILLIPS COMPANY  
Address: 600 N DAIRY ASHFORD  
PO BOX 2197  
HOUSTON, TX 77079-2197, USA  
Owner Classification: Corporation/Partnership

**Permit Contacts**

Division of Environmental Permits:  
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50 CIRCLE RD  
STONY BROOK, NY 11790-3409  
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Air Permitting Contact:  
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212 SOUND SHORE RD  
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**Permit Description**

**Introduction**

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

**Summary Description of Proposed Project**

This is a renewal of Air Title V Operating Permit for ConocoPhillips Riverhead Terminal facility.

**Attainment Status**

RIVERHEAD TERMINAL-CONOCOPHILLIPS is located in the town of RIVERHEAD in the county of SUFFOLK.



The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10 $\mu$ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO <sub>2</sub> )	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NO <sub>x</sub> )**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

\* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NO<sub>x</sub>) which are ozone precursors.

\*\* NO<sub>x</sub> has a separate ambient air quality standard in addition to being an ozone precursor

### Facility Description

The Riverhead Terminal consists of bulk above the ground storage tanks, truck loading bays, steam boilers, Diesel engine pump drivers, and gasoline dispensing for fleet vehicles. The facility receives and distributes a wide variety of petroleum liquids with Reid vapor pressures less than 13.5 psia. All materials are received via marine vessels and exit the facility via barge or tank trucks. Tanker truck loading is limited to petroleum products with vapor pressures less than 0.2 psia.

### Permit Structure and Description of Operations

The Title V permit for RIVERHEAD TERMINAL-CONOCOPHILLIPS is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process.

A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following



types:

- combustion - devices which burn fuel to generate heat, steam or power
  - incinerator - devices which burn waste material for disposal
  - control - emission control devices
  - process - any device or contrivance which may emit air contaminants
- that is not included in the above categories.

RIVERHEAD TERMINAL-CONOCOPHILLIPS is defined by the following emission unit(s):

Emission unit U00004 - Emission Unit U00004 consists of eight (8) truck loading bays transferring petroleum liquids, including, but not limited to, kerosene, diesel fuel and distillate and residual fuel oils with vapor pressures less than 0.2 psia. No gasoline is loaded into trucks at these bays.

It is further defined by the following process(es):

Process: RACEight racks top load non-petroleum products with vapor pressures less than 0.2 psia into tank trucks. Each arm has a maximum filling rate of 600 gpm.

Emission unit U00005 - Emission Unit U00005 includes marine loading and unloading of petroleum and non-petroleum fuel liquids and consists of an offshore platform and a barge pier. A variety of petroleum liquids, including, but not limited to, crude oils, gasoline and gasoline blendstocks, with a Reid vapor pressure less than 13.5 psia, are loaded and unloaded into marine vessels at the platform. Distillate and residual fuel oils with vapor pressures less than 0.2 psia are loaded at the barge pier. The Department allows a variance on VOC emissions from the marine loading/unloading platform.

It is further defined by the following process(es):

Process: DCKPetroleum liquids, including, but not limited to, crude oils, gasoline and gasoline blendstocks, with an RVP less than 13.5 psia are loaded and unloaded into marine vessels at an offshore platform.

Process: PIEDistillate and residual fuel oils with vapor pressures less than 0.2 psia are loaded into barges at a marine pier.

Emission unit U00002 - Emission Unit U00002 consists of three (3) identical 29 million Btu/hr boilers firing No. 6 fuel oil. The total annual oil consumption is limited to 2,400,000 gallons.

Emission unit U00002 is associated with the following emission points (EP):

0EP01, 0EP02, 0EP03

It is further defined by the following process(es):

Process: NO6 is located at Building BOILERROOM - This process represents the operation of three boilers firing No. 6 fuel oil. The combined annual oil consumption of the boilers is limited to 2,400,000 gallons.

Emission unit U00003 - Emission Unit U00003 consists of seven (7) diesel engine pump drivers with rated capacities between 335 and 425 hp. All engines have been granted NOX emission variance from the Department.

Emission unit U00003 is associated with the following emission points (EP):

0EP04, 0EP05, 0EP06, 0EP07, 0EP08, 0EP09

It is further defined by the following process(es):

Process: 340This process represents the operation of three diesel pump drivers (#1 and #2 Beach and Section A) with rated capacities of 340 hp and are included in the Emission Unit U00003. Each engine operates on diesel fuel for a maximum of 8760 hours per year.

Process: 375This process represents the operation of two diesel pump drivers (South West and South East) with



rated capacities of 375 hp and are included in the Emission Unit U00003. Each engine operates on diesel fuel for a maximum of 8760 hours per year.

Process: 425 This process represents the operation of the #12 diesel pump driver with a rated capacity of 425 hp and is included in the Emission Unit U00003. Each engine operates on diesel fuel for a maximum of 8760 hours per year.

Emission unit U00006 - Emission Unit U00006 consists of fuel dispensing stations for powering diesel and gasoline fleet of vehicles operating on the site. The fuels are loaded from two 500-gallon tanks.

It is further defined by the following process(es):

Process: DSP Gasoline and diesel fuels are dispensed to fleet vehicles of the facility

Emission unit U00001 - Emission Unit U00001 consists of twenty (20) storage tanks. Each tank may store a variety of petroleum liquids, including, but not limited to, crude oils, gasoline and gasoline blendstocks, with a Reid vapor pressure (RVP) less than or equal to 13.5 psia. Tanks 14-19 were constructed after 1973, have capacities ranging from 250,000 to 415,000 barrels, and are subject to 40 CFR 60 Subparts K and 6 NYCRR Part 229 regulations. Tanks 1-5 and 9-13 have capacities below 300,000 barrels and are exempted from regulations since they store distillate and residual fuel oil. Tanks 6-8, 17-19 and 21 have capacities greater than 300,000 barrels, store No. 6 fuel oil/crude oil, and are subject to 6 NYCRR Part 212 regulation. Tanks 14-16 have internal floating roofs.

It is further defined by the following process(es):

Process: STO This process includes 20 storage tanks pertaining to the Emission Unit U00001. The tanks store petroleum liquids, including crude oils, gasoline and gasoline blendstocks with an RVP less than 13.5 psia.

**Title V/Major Source Status**

RIVERHEAD TERMINAL-CONOCOPHILLIPS is subject to Title V requirements. This determination is based on the following information:

This facility is major for VOC emissions.

**Program Applicability**

The following chart summarizes the applicability of RIVERHEAD TERMINAL-CONOCOPHILLIPS with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES



TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

**NOTES:**

**PSD** Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

**NSR** New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

**NESHAP** National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's)

**MACT** Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

**NSPS** New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

**Title IV** Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

**Title VI** Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

**RACT** Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality



standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

**SIP** State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

### Compliance Status

Facility is in compliance with all requirements

### SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

#### SIC Code

5171

#### Description

PETROLEUM BULK STATIONS &amp; TERMINALS

### SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

#### SCC Code

1-02-004-01

#### Description

EXTERNAL COMBUSTION BOILERS - INDUSTRIAL  
INDUSTRIAL BOILER - RESIDUAL OIL  
Grade 6 Oil

2-03-001-01

INTERNAL COMBUSTION ENGINES -  
COMMERCIAL/INSTITUTIONAL  
COMMERCIAL/INSTITUTIONAL IC ENGINE - DISTILLATE OIL  
(DIESEL)

4-06-001-63

Reciprocating  
TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS  
TANK CARS AND TRUCKS

4-06-002-34

GASOLINE: RETURN W/ VAPOR (TRANSIT LOSSES)  
TRANSPORTATION AND MARKETING OF PETROLEUM  
PRODUCTS

4-06-002-51

TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS - MARINE  
VESSELS

4-06-007-06

Gasoline: Ship Loading - Ballasted Tank  
TRANSPORTATION AND MARKETING OF PETROLEUM  
PRODUCTSTRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS - MARINE  
VESSELSDistillate Oil: Loading Barges  
TRANSPORTATION AND MARKETING OF PETROLEUM  
PRODUCTS

4-07-176-13

CORPORATE FLEET REFUELING - STAGE I: BALANCED SUBMERGED  
FILLING  
ORGANIC CHEMICAL STORAGE  
ORGANIC CHEMICAL STORAGE - FLOATING ROOF TANKS - ALKANES



(PARAFFINS)  
 FLOAT ROOF TANKS PETROLEUM DISTILLATES: STANDING LOSS

### Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000071-43-2	BENZENE		> 0 but < 10 tpy
000098-82-8	BENZENE, (1-METHYLETHYL)		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE		>= 10 tpy but < 25 tpy
000100-41-4	ETHYLBENZENE		> 0 but < 10 tpy
0NY100-00-0	HAP		>= 100 tpy but < 250 tpy
000110-54-3	HEXANE		> 0 but < 10 tpy
007439-92-1	LEAD		> 0 but < 10 tpy
001634-04-4	METHYL TERTBUTYL ETHER		>= 10 tpy
000091-20-3	NAPHTHALENE		> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 250 tpy
0NY075-00-0	PARTICULATES		>= 10 tpy but < 25 tpy
000540-84-1	PENTANE, 2,2,4-TRIMETHYL-		> 0 but < 10 tpy
0NY075-00-5	PM-10		>= 10 tpy but < 25 tpy
007446-09-5	SULFUR DIOXIDE		>= 100 tpy but < 250 tpy
000108-88-3	TOLUENE		>= 10 tpy
0NY998-00-0	VOC		>= 250 tpy
001330-20-7	XYLENE, M, O & P MIXT.		> 0 but < 10 tpy

### NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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



emissions, and corrective actions taken.

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

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

**Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part**

201-1.10(b)

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

**Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part**

201-6.3(a)(4)

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

**Item D: Certification by a Responsible Official - 6 NYCRR Part**

201-6.3(d)(12)

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

**Item E: Requirement to Comply With All Conditions - 6 NYCRR Part**

201-6.5(a)(2)

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

**Item F: Permit Revocation, Modification, Reopening, Reissuance or**

Termination, and Associated Information Submission Requirements - 6

**NYCRR Part 201-6.5(a)(3)**

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

**Item G: Cessation or Reduction of Permitted Activity Not a Defense - 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 order to maintain compliance with the conditions of this permit.

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

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

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

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

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

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the



Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

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

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



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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.  
**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**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.

**Regulatory Analysis**

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY		78	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A.11	41	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.12	42	General provisions - Circumvention
FACILITY	40CFR 60-A.14	43	General provisions - Modification
FACILITY	40CFR 60-A.15	44	General provisions - Reconstruction
FACILITY	40CFR 60-A.7(a)	29	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(b)	30	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(c)	31	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(d)	32	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(f)	33	Notification and Recordkeeping
FACILITY	40CFR 60-A.8(a)	34	
FACILITY	40CFR 60-A.8(b)	35	
FACILITY	40CFR 60-A.8(c)	36	
FACILITY	40CFR 60-A.8(d)	37	
FACILITY	40CFR 60-A.8(e)	38	
FACILITY	40CFR 60-A.8(f)	39	
FACILITY	40CFR 60-A.9	40	General provisions - Availability of information



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U-00001/-/STO/00T14	40CFR 60-K.112 (a)	57	Petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC
U-00001/-/STO/00T15	40CFR 60-K.112 (a)	58	Petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC
U-00001/-/STO/00T16	40CFR 60-K.112 (a)	59	Petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC
U-00001/-/STO/00T14	40CFR 60-K.113 (a)	60	Petroleum liquid storage tanks over 40,000 gallons capacity - monitoring of operations
U-00001/-/STO/00T15	40CFR 60-K.113 (a)	61	Petroleum liquid storage tanks over 40,000 gallons capacity - monitoring of operations
U-00001/-/STO/00T16	40CFR 60-K.113 (a)	62	Petroleum liquid storage tanks over 40,000 gallons capacity - monitoring of operations
FACILITY	40CFR 68	20	Chemical accident prevention provisions
FACILITY	40CFR 82-F	21, 45	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	9	
FACILITY	6NYCRR 201-1.4	79	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	10	
FACILITY	6NYCRR 201-1.8	11	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	12	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	13	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	22, 46, 47	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5 (a) (4)	14	
FACILITY	6NYCRR 201-6.5 (a) (7)	2	
FACILITY	6NYCRR 201-6.5 (a) (8)	15	
FACILITY	6NYCRR 201-6.5 (c)	3	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (c) (2)	4	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (c) (3) (ii)	5	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (d) (5)	16	
FACILITY	6NYCRR 201-6.5 (e)	23	
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FACILITY	6NYCRR 202-1.1	18	
FACILITY	6NYCRR 202-2.1	6	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	7	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.2	80	General Prohibitions - air pollution prohibited.
FACILITY	6NYCRR 211.3	19	General Prohibitions -



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U-00001/-/STO/00T06	6NYCRR 212.3 (a)	50	visible emissions limited General Process Emission Sources - emissions from existing emission sources
U-00001/-/STO/00T07	6NYCRR 212.3 (a)	51	General Process Emission Sources - emissions from existing emission sources
U-00001/-/STO/00T08	6NYCRR 212.3 (a)	52	General Process Emission Sources - emissions from existing emission sources
U-00001/-/STO/00T17	6NYCRR 212.3 (a)	53	General Process Emission Sources - emissions from existing emission sources
U-00001/-/STO/00T18	6NYCRR 212.3 (a)	54	General Process Emission Sources - emissions from existing emission sources
U-00001/-/STO/00T19	6NYCRR 212.3 (a)	55	General Process Emission Sources - emissions from existing emission sources
U-00001/-/STO/00T21	6NYCRR 212.3 (a)	56	General Process Emission Sources - emissions from existing emission sources
U-00004/-/RAC	6NYCRR 212.3 (a)	73	General Process Emission Sources - emissions from existing emission sources
FACILITY U-00002	6NYCRR 215 6NYCRR 225-1.2 (a)	8 63	Sulfur in Fuel Limitations.
U-00004/-/RAC	6NYCRR 225-1.2 (a)	74	Sulfur in Fuel Limitations.
FACILITY	6NYCRR 225-1.8 (a)	24	Reports, sampling and analysis.
FACILITY	6NYCRR 225-1.8 (b)	25	Reports, sampling and analysis.
FACILITY	6NYCRR 225-1.8 (d)	26	Reports, sampling, and analysis
FACILITY	6NYCRR 225-3.3 (a)	27	RVP Limitation - May 1st through September 15th
U-00002	6NYCRR 227.2 (b) (1)	66	
U-00002	6NYCRR 227-1.3	64	Smoke Emission Limitations.
U-00002	6NYCRR 227-2.4 (d)	65	RACT for Oxides of Nitrogen - small boilers.
U-00003/0EP04/340/000D1	6NYCRR 227-2.5 (c)	67	Alterative emission limits
U-00003/0EP05/340/000D2	6NYCRR 227-2.5 (c)	68	Alterative emission limits
U-00003/0EP06/340/000D3	6NYCRR 227-2.5 (c)	69	Alterative emission limits
U-00003/0EP07/375/000D4	6NYCRR 227-2.5 (c)	70	Alterative emission limits
U-00003/0EP08/375/000D5	6NYCRR 227-2.5 (c)	71	Alterative emission limits
U-00003/0EP09/425/000D6	6NYCRR 227-2.5 (c)	72	Alterative emission limits
U-00001	6NYCRR 229.3 (a)	48	Petroleum fixed roof tank control requirements
U-00005/-/DCK/0PLAT	6NYCRR 229.3 (g) (1)	75	
U-00001	6NYCRR 229.5 (a)	49	Recordkeeping - petroleum liquid fixed roof storage tanks
FACILITY	6NYCRR 229.5 (c)	28	Recordkeeping - gasoline loading terminals
U-00006/-/DSP/0DISP	6NYCRR 230.2 (d) (1)	76	Stage I and II required for new tanks after



**Applicability Discussion:**

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-301.

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6NYCRR Part 200-.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6NYCRR Part 200-.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6NYCRR Part 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6NYCRR Part 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6NYCRR Part 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6NYCRR Part 201-3.2(a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6NYCRR Part 201-3.3(a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial



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.

6NYCRR Part 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6NYCRR 201-6.5(a)(4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6NYCRR 201-6.5(a)(7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6NYCRR 201-6.5(a)(8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6NYCRR Part 201-6.5(c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6NYCRR Part 201-6.5(c)(2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.



6NYCRR Part 201-6.5(c)(3)(ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6NYCRR 201-6.5(d)(5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6NYCRR Part 201-6.5(e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6NYCRR 201-6.5(f)(6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6NYCRR Part 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6NYCRR Part 202-2.1

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

6NYCRR Part 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6NYCRR Part 211-.2

This regulation prohibits any emissions of air contaminants to the outdoor atmosphere which may be detrimental to human, plant or animal life or to property, or which unreasonably interferes with the comfortable enjoyment of life or property regardless of the existence of any specific air quality standard or emission limit.

6 NYCRR Part 211.3

This condition requires that the opacity (i.e., the degree to which emissions other than water reduce the transmission of light) of the emissions from any air contamination source be less than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent.

6 NYCRR Part 215

Prohibits open fires at industrial and commercial sites.



40 CFR Part 68.

This Part lists the regulated substances and their applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act Amendments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

**Facility Specific Requirements**

In addition to Title V, RIVERHEAD TERMINAL-CONOCOPHILLIPS has been determined to be subject to the following regulations:

40CFR 60-A.11

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40CFR 60-A.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40CFR 60-A.14

This regulation defines the term modification and what is and is not considered to be a modification, for the purpose of rule applicability.

40CFR 60-A.15

This regulation defines the term reconstruction and what is and is not considered to be a reconstruction project, for the purpose of rule applicability.

40CFR 60-A.7 (a)

This regulation requires any owner or operator subject to a New Source Performance Standard (NSPS) to furnish the Administrator with notification of the dates of: construction or reconstruction, initial startup, any physical or operational changes, commencement of performance testing for continuous monitors and anticipated date for opacity observations as required.

40CFR 60-A.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40CFR 60-A.7 (c)



This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

40CFR 60-A.7 (d)

This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40CFR 60-A.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40CFR 60-A.8 (a)

This regulation contains the requirements for the completion date and reporting of Performance Testing (stack testing), at the facility. 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, the owner or operator of the facility must conduct performance test(s) and furnish a written report of the test results.

40CFR 60-A.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40CFR 60-A.8 (c)

This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40CFR 60-A.8 (d)

This regulation contains the requirements for advance notification of Performance (stack) testing.

40CFR 60-A.8 (e)

This regulation requires the facility to provide appropriate sampling ports, safe platforms and utilities as necessary for Performance (stack) testing.

40CFR 60-A.8 (f)

This regulation requires that Performance (stack) tests consist of three runs unless otherwise specified. The rule also designates the allowable averaging methods for the analysis of the results.

40CFR 60-A.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40CFR 60-K.112 (a)

This rule regulates vapor pressure of petroleum liquids stored.

40CFR 60-K.113 (a)

This rule regulates record keeping of petroleum liquids stored.

6NYCRR 212 .3 (a)



This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for existing (on or before July 1, 1973) process emission sources.

6NYCRR 225-1.2 (a)

This regulation sets the limits for sulfur in fuel being burned at stationary sources in New York State with a heat input greater than 250 million BTU per hour. The limits are: for oil - from 0.20% [in NYC] to 1.50% by weight; for solid fuel - from 0.20 [in NYC] to 2.5 pounds of sulfur per million BTU. This limit applies to facilities that submitted permit applications after March 15, 1973 and are not located in New York City, Nassau, Rockland or Westchester counties.

6NYCRR 225-1.8 (a)

Upon request the owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of three years

6NYCRR 225-1.8 (b)

Upon request the owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of three years

6NYCRR 225-1.8 (d)

This requires that sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the commissioner.

6NYCRR 225-3.3 (a)

This rule regulates Reid vapor pressure during summer months.

6NYCRR 227 .2 (b) (1)

This regulation is from the 1972 version of Part 227 and still remains as part of New York's SIP. The rule establishes a particulate limit of 0.10 lbs/mmBtu based on a 2 hour average emission for any oil fired stationary combustion installation.

6NYCRR 227-1.3

This regulation requires a limitation and compliance monitoring for opacity from a stationary combustion installation.

6NYCRR 227-2.4 (d)

This rule specifies that the reasonably available control technology (RACT) requirement for small boilers (< or = 50 million BTUs/hr) at Title V facilities consists of an annual tune-up.

6NYCRR 227-2.5 (c)

This rule regulates diesel engine testing for NOX emissions.

6NYCRR 229 .3 (a)

This subdivision contains the control requirements for petroleum fixed roof tanks.

6NYCRR 229 .3 (g) (1)

This rule allows for a VOC variance at the offshore loading platform.

6NYCRR 229 .5 (a)

This regulation requires that a record be of the capacities, in gallons, of petroleum liquid storage tanks subject to the



control requirements for petroleum fixed roof and petroleum liquid external floating roof tanks under Part 229.3, be maintained at the facility for a period of 5 years.

6NYCRR 229 .5 (c)

This subdivision specifies that a record of the average daily gasoline throughput, in gallons per year be maintained for gasoline loading terminals subject to Part 229.

6NYCRR 230 .2 (d) (1)

This regulation requires Stage I and Stage II vapor collection systems at any gasoline dispensing site located in the New York City Metropolitan Area which were constructed, replaced, or substantially modified after June 27, 1987, regardless of the annual gasoline throughput at the site. Stage I vapor collection systems are systems where the gasoline vapors are forced from the gasoline storage tank back into the gasoline transport vehicle or a vapor control system through direct displacement by the gasoline being loaded.

6NYCRR 230 .2 (f)

Owners and/or operators of gasoline storage tanks, vehicles, and dispensing stations required to install stage 1 and/or stage 2 vapor recovery equipment must meet these provisions. The provisions include training, correct operation, replacement, and repair of personnel and equipment.

**Compliance Certification**

Summary of monitoring activities at RIVERHEAD TERMINAL-CONOCOPHILLIPS:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
FACILITY	31	record keeping/maintenance procedures
U-00001/-/STO/00T14	57	record keeping/maintenance procedures
U-00001/-/STO/00T15	58	record keeping/maintenance procedures
U-00001/-/STO/00T16	59	record keeping/maintenance procedures
U-00001/-/STO/00T14	60	record keeping/maintenance procedures
U-00001/-/STO/00T15	61	record keeping/maintenance procedures
U-00001/-/STO/00T16	62	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
U-00001/-/STO/00T06	50	record keeping/maintenance procedures
U-00001/-/STO/00T07	51	record keeping/maintenance procedures
U-00001/-/STO/00T08	52	record keeping/maintenance procedures
U-00001/-/STO/00T17	53	record keeping/maintenance procedures
U-00001/-/STO/00T18	54	record keeping/maintenance procedures
U-00001/-/STO/00T19	55	record keeping/maintenance procedures
U-00001/-/STO/00T21	56	record keeping/maintenance procedures
U-00004/-/RAC	73	record keeping/maintenance procedures
U-00002	63	work practice involving



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U-00004/-/RAC	74	specific operations work practice involving specific operations
FACILITY	24	record keeping/maintenance procedures
FACILITY	25	record keeping/maintenance procedures
FACILITY	27	work practice involving specific operations
U-00002	66	intermittent emission testing
U-00002	64	record keeping/maintenance procedures
U-00002	65	record keeping/maintenance procedures
U-00003/0EP04/340/000D1	67	intermittent emission testing
U-00003/0EP05/340/000D2	68	intermittent emission testing
U-00003/0EP06/340/000D3	69	intermittent emission testing
U-00003/0EP07/375/000D4	70	intermittent emission testing
U-00003/0EP08/375/000D5	71	intermittent emission testing
U-00003/0EP09/425/000D6	72	intermittent emission testing
U-00001	48	record keeping/maintenance procedures
U-00005/-/DCK/0PLAT	75	monitoring of process or control device parameters as surrogate
U-00001	49	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures

**Basis for Monitoring**

Monitoring of petroleum loading is required because the Department issued a variance.