



Facility Identification Data

Name: KINDER MORGAN LIQUIDS TERMINALS LLC
Address: 4101 ARTHUR KILL RD
STATEN ISLAND, NY 10309

Owner/Firm

Name: KINDER MORGAN LIQUIDS TERMINALS LLC
Address: 500 DALLAS ST STE 1000
HOUSTON, TX 77002, USA
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:
Name: ELIZABETH A CLARKE
Address: ONE HUNTERS POINT PLAZA
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407
Phone:7184824997

Division of Air Resources:
Name: DIANA MENASHA
Address: NYSDEC REGION 2 OFFICE
HUNTERS POINT PLAZA
LONG ISLAND CITY, NY 11101
Phone:7184827263

Air Permitting Contact:
Name: ROBERT W MINTER
Address: KINDER MORGAN LIQUIDS TERMINALS LLC
4101 ARTHUR KILL RD
STATEN ISLAND, NY 10309
Phone:7189662002

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 application is submitted for renewal of the existing Title V permit. The Title V permit is for an existing gasoline and distillate storage and distribution terminal.

This KMSI Terminal is a petroleum warehousing facility, including sixteen (16) above ground active permitted gasoline storage tanks (each tank is equipped with an internal floating roof), and a loading dock for marine transfer operations. Petroleum products are transferred across the loading dock between storage tanks and marine vessels.



Gasoline marine loading emissions are controlled with two (2) identical carbon adsorption systems. The marine loading operation at the KMSI Terminal consists of a total of five (5) berths. The facility modified the marine terminal in November 1994 when two (2) John Zink vapor recovery units (adsorption reduction units) were installed to collect vapors during marine vessel loading. Operation of the vapor recovery units (VRUs) began on November 17, 1994. The KMSI Terminal does not conduct transfer operations to or from cargo tanks, including tank trucks and railcars (and therefore; not subject to 6 NYCRR 230). The standard industrial classification code (SIC) is 4226 - Special Warehousing and Storage.

The KMSI Terminal is a gasoline/distillate marine loading terminal consisting of three emission units, 1-BOIL, 1-RACKS and 1-TANKS.

Attainment Status

KINDER MORGAN LIQUIDS TERMINALS LLC is located in the town of STATEN ISLAND in the county of RICHMOND.

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 μ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO ₂)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NO _x)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NO_x) which are ozone precursors.

** NO_x has a separate ambient air quality standard in addition to being an ozone precursor

Facility Description

The Kinder Morgan Staten Island (KMSI) Terminal (formerly known as Mobil Oil Corporation - Port Mobil) is owned by Kinder Morgan Liquids Terminals LLC. The KMSI Terminal is located at 4101 Arthur Kill Road in Staten Island, Richmond County, New York. The terminal has been in operation since 1940. This is a Title V permit Renewal 1 for an existing petroleum storage and distribution terminal.

This KMSI Terminal is a petroleum warehousing facility, including sixteen (16) above ground active permitted gasoline storage tanks (each tank is equipped with an internal floating roof), and a loading dock for marine transfer operations. Petroleum products are transferred across the loading dock between storage tanks and marine vessels.

Gasoline marine loading emissions are controlled with two (2) identical carbon adsorption systems. The marine



loading operation at the KMSI Terminal consists of a total of five (5) berths. The facility modified the marine terminal in November 1994 when two (2) John Zink vapor recovery units (adsorption reduction units) were installed to collect vapors during marine vessel loading. Operation of the vapor recovery units (VRUs) began on November 17, 1994. The KMSI Terminal does not conduct transfer operations to or from cargo tanks, including tank trucks and railcars (and therefore; not subject to 6 NYCRR 230). The standard industrial classification code (SIC) is 4226 - Special Warehousing and Storage.

The KMSI Terminal is a gasoline/distillate marine loading terminal consisting of the following three emission units, 1-BOIL, 1-RACKS and 1-TANKS. A complete description of each emission unit is listed below.

Emission Unit 1-BOIL consists of two Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) rated at 23.45 MM BTU/hr each. The two boilers operate on # 2 fuel oil (Process DIS). The two boilers are limited to 1,000,000 gallons of fuel usage each annually for a total throughput cap of 2,000,000 gallons/year. Emissions from each of the two boilers exhaust through its own stack, identified as Emission Points 00023 & 00025; respectively.

Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6 and 8. Only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.

Emission Point LOAD A represents emissions from products requiring and receiving vapor recovery. LOAD A products are potentially loaded at Berth's 1, 1A, 3 and 6. Emission Point LOAD B represents emissions from products not requiring or receiving vapor recovery. LOAD B products are potentially loaded at Berth's 1, 1A, 3, 6 and 8.

Emission Unit 1-RACKS is separated into two main processes, RGS and RDS. RGS represents the loading of marine vessels (ships or barges) with liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through Emission Point LOAD A. Vapors are collected and are sent to the two John Zink vapor reduction units, the "A" unit and the "B" unit (Emission Control VPORS), which are equipped with shared piping to handle the VOC vapors from the controlled loading areas (LOAD A). RDS represents the loading of marine vessels (ships or barges) with liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through Emission Point LOAD B. There is a third process, FG1, which consists of miscellaneous fugitive HAP and VOC emissions from valves, pumps, and flange leakage (Emission Sources/Control 0000A, 0000B & VPORS). All emissions are at insignificant levels from Emission Points LOADA & LOADB.

The vapor recovery system for process RGS utilizes two identical carbon adsorption reduction units, VRU-A and VRU-B (Emission Controls VRU0A & VRU0B), for VOC emission reduction. The two vapor recovery units VRU-A and VRU-B may be utilized alternatively or simultaneously depending upon vessel loading demands. Vessel loading will cease immediately if loading demands exceed the availability and or capability of VRU-A and or VRU-B.

Emission Unit 1-TANKS consists of sixteen (16) storage tanks (Process GAS) of varying volumes permitted to contain petroleum products, including, but not limited to gasoline, constituents of gasoline, fuel grade ethanol, distillate fuel oil, residual fuel oil, diesel fuel oil, and biodiesel. Each of the sixteen storage tanks having a capacity of greater than 40,000 gallons. All of these 16 storage tanks are domed fixed roof tanks with internal floating roofs. The sixteen storage tanks are defined as Emission Sources TK044, TK045, TK049, TK050, TK051, TK052, TK053, TK054, TK055, TK056, TK057, TK058, TK059, TK060, TK061 & TK062 with Emission Points 00044, 00045, 00049, 00050, 00051, 00052, 00053, 00054, 00055, 00056, 00057, 00058, 00059, 00060, 00061 & 00062, respectively.

The facility operates other sources which are considered exempt from permitting in accordance with 6NYCRR 201-3.2(c), including twenty-three (23) distillate and residual fuel oil storage tanks with a storage capacity of <300,000 bbls and seven (7) storage tanks with a capacity of <10,000 gallons.



Permit Structure and Description of Operations

The Title V permit for KINDER MORGAN LIQUIDS TERMINALS LLC 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.

KINDER MORGAN LIQUIDS TERMINALS LLC is defined by the following emission unit(s):

Emission unit 1TANKS - Emission Unit 1-TANKS consists of sixteen (16) storage tanks (Process GAS) of varying volumes permitted to contain petroleum products, including, but not limited to gasoline, constituents of gasoline, fuel grade ethanol, distillate fuel oil, residual fuel oil, diesel fuel oil, and biodiesel. Each of the sixteen storage tanks having a capacity of greater than 40,000 gallons. All of these 16 storage tanks are domed fixed roof tanks with internal floating roofs. The sixteen storage tanks are defined as Emission Sources TK044, TK045, TK049, TK050, TK051, TK052, TK053, TK054, TK055, TK056, TK057, TK058, TK059, TK060, TK061 & TK062 with Emission Points 00044, 00045, 00049, 00050, 00051, 00052, 00053, 00054, 00055, 00056, 00057, 00058, 00059, 00060, 00061 & 00062, respectively.

Emission unit 1TANKS is associated with the following emission points (EP):

00044, 00045, 00049, 00050, 00051, 00052, 00053, 00054, 00055, 00056, 00057, 00058, 00059, 00060, 00061, 00062

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

Process: GAS is located at TANK FARM, Building TANK FARM - Process GAS is the storage of the sixteen (16) storage tanks in Emission Unit 1-TANKS. Each of the sixteen storage tanks having a capacity of greater than 40,000 gallons. The sixteen storage tanks are defined as Emission Sources TK044, TK045, TK049, TK050, TK051, TK052, TK053, TK054, TK055, TK056, TK057, TK058, TK059, TK060, TK061 & TK062. Each storage tank has a domed fixed roof with an internal floating roof system.

Emission unit 1MISCT - Emission Unit 1-MISCT consists of one (1) wastewater tank (Emission Source TK048), containing wastewater contaminated with gasoline and distillates. Emission Source TK048 is associated with Process FG2, with insignificant emissions (Emission Point 00048).



Emission unit 1MISCT is associated with the following emission points (EP):
00031, 00048

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

Process: FG2 is located at TANK FARM - Process FG2 is the insignificant emissions from one (1) wastewater tank (Emission Source TK048) with Emission Point 00048 containing wastewater contaminated with gasoline and distillates in Emission Unit 1-MISCT. This tank has activity with insignificant emissions.

A similar tank to TANK 48, is Tank 31 (TK031) with design capacity of 39,174 gallons, which remains on site, but is no longer in operation.

Emission unit 1RACKS - Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6 and 8. Only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.

Emission point LOAD A represents emissions from products requiring and receiving vapor recovery. LOAD A products are potentially loaded at Berth's 1, 1A, 3 and 6. Emission Point LOAD B represents emissions from products not requiring or receiving vapor recovery. LOAD B products are potentially loaded at Berth's 1, 1A, 3, 6 and 8.

Emission Unit 1-RACKS is separated into two processes, RGS and RDS. RGS represents the transfer of liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through emission point LOAD A. RDS represents the transfer of liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through emission point LOAD B.

The vapor recovery system for process RGS utilizes two identical carbon adsorption systems, VRU-A and VRU-B, for VOC emission reduction. VRU-A and VRU-B may be utilized alternatively or simultaneously depending upon vessel loading demands. Vessel loading will cease immediately if loading demands exceed the availability and or capability of VRU-A and or VRU-B.

The marine terminal at the facility was modified in November 1994, when two (2) John Zink vapor recovery units (adsorption/absorption reduction units) were installed, to collect the vapors coming out during the marine loading of the tank vessels. Operation of the VRUs began on November 17, 1994.

Emission unit 1RACKS is associated with the following emission points (EP):
LOADA, LOADB

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

Process: FG1 is located at LOADING AREA, Building LOADING AR - Process FG1 in Emission Unit 1-RACKS consists of miscellaneous fugitive HAP and VOC emissions from valves, pumps, and flange leakage (Emission Sources/Control 0000A, 0000B & VPORS). All emissions are at insignificant levels from Emission Points LOADA & LOADB.

Process: RDS is located at LOADING AREA - Process RDS in Emission Unit 1-RACKS is the loading of marine vessels (ships or barges) with liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through Emission Point LOAD B.

Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6, 8. Note that only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.



Emission Point LOAD B represents emissions from products not requiring or receiving vapor recovery. LOAD B products are potentially loaded at Berth's 1, 1A, 3, 6 and 8.

Emission Unit 1-RACKS is separated into two processes, RGS and RDS. RDS represents the transfer of liquid products, such as distillates, that do not require nor utilize vapor recovery during vessel loading operations through Emission Point LOAD B.

Process: RGS is located at LOADING AREA - Process RGS in Emission Unit 1-RACKS is the loading of marine vessels (ships or barges) with liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through Emission Point LOAD A. Vapors are collected and are sent to the two vapor reduction units, the "A" unit and the "B" unit (Emission Control VPORS), which are equipped with shared piping to handle the VOC vapors from the controlled loading areas (LOAD A).

Emission Unit 1-RACKS is the marine loading area or "Loading Dock" where gasoline, distillates and other liquid products are transferred to and from ships and barges. The Loading Dock is separated into two emission point identifiers, LOAD A & LOAD B, which share Berth's 1, 1A, 3, 6, 8. Note that only 4 berths may be operated simultaneously, as Berth's 1 and 1A cannot accommodate vessels simultaneously.

Emission Point LOAD A represents emissions from products requiring and receiving vapor recovery. LOAD A products are potentially loaded at Berth's 1, 1A, 3 and 6.

Emission Unit 1-RACKS is separated into two processes, RGS and RDS. RGS represents the transfer of liquid products, such as gasoline, that require or opt for vapor recovery during vessel loading operations through Emission Point LOAD A.

The vapor recovery system for process RGS utilizes two identical carbon adsorption systems, VRU-A and VRU-B (Emission Controls VRU0A & VRU0B), for VOC emission reduction. The two vapor recovery units VRU-A and VRU-B may be utilized alternatively or simultaneously depending upon vessel loading demands. Vessel loading will cease immediately if loading demands exceed the availability and or capability of VRU-A and or VRU-B. Since the two vapor recovery units share piping, they are combined as (Emission Control VPORS).

Emission unit 1-BOIL - Emission Unit 1-BOIL consists of two Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) rated at 23.45 MM BTU/hr each. The two boilers operate on # 2 fuel oil (Process DIS). The two boilers are limited to 1,000,000 gallons of fuel usage each annually for a total throughput cap of 2,000,000 gallons/year.

There are two identical stacks, Emission Points 00023 & 00025. Emissions from each of the two boilers exhaust through its own stack, identified as Emission Points 00023 & 00025. Emissions from Boiler BOL23 exhaust through Emission Point 00023, and emissions from Boiler BOL25 exhaust through Emission Point 00025.

Emission unit 1-BOIL is associated with the following emission points (EP):
00023, 00025

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

Process: DIS is located at Building BOILER HSE - Process DIS is the operation of each of the two 23.45 MM BTU/hr Cleaver Brooks boilers (Emission Sources BOL23 & BOL25) in Emission Unit 1-BOIL, which operate on # 2 fuel oil (distillate oil). The two boilers are limited to 1,000,000 gallons of fuel usage each annually for a total throughput cap of 2,000,000 gallons per year. Emissions from each of the two boilers are exhausted through two separate identical stacks, identified as Emission Points 00023 & 00025 for Boilers BOL23 & BOL25; respectively.

Title V/Major Source Status

KINDER MORGAN LIQUIDS TERMINALS LLC is subject to Title V requirements. This determination is based



on the following information:

Kinder Morgan Staten Island Terminal is a major facility because the potential emissions of volatile organic compounds (VOC) and total HAPs are greater than the major source thresholds, which is 25 tons per year for VOC and for total HAPs. Also, the potential emissions of Methyl Tertbutyl Ether (MTBE) are greater than the major source thresholds, which is 10 tons per year for any individual HAP.

Program Applicability

The following chart summarizes the applicability of KINDER MORGAN LIQUIDS TERMINALS LLC 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)	YES
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

4226

Description

SPECIAL WAREHOUSING & STORAGE

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes



Permit Review Report

Permit ID: 2-6405-00073/00060

Renewal Number: 1

03/24/2009

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	Description
1-02-005-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL 10-100MMBTU/HR **
4-04-001-51	BULK TERMINALS/PLANTS BULK TERMINALS Valves, Flanges, and Pumps
4-04-001-60	BULK TERMINALS/PLANTS BULK TERMINALS INTERNAL FLOAT ROOF W/ PRIMARY SEAL-SPECIFY LIQUID:STANDING LOSS
4-06-002-32	TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS - MARINE VESSELS
4-06-002-51	Gasoline: Ocean Barges Loading TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS - MARINE VESSELS
4-07-999-97	Distillate Oil: Loading Barges ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - MISCELLANEOUS Specify in Comments

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 or 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
000092-52-4	1, 1 BIPHENYL	2.77	
000108-38-3	1,3 DIMETHYL BENZENE	3177	
000095-48-7	2-METHYL-PHENOL	10	
000071-43-2	BENZENE	2338	
000098-82-8	BENZENE, (1-METHYLETHYL)	184	
000092-69-3	BIPHENYL OL C12H10O	3	
000630-08-0	CARBON MONOXIDE	10000	
002409-55-4	CRESOL, 2-TERT BUTYL P-	4.37	
000100-41-4	ETHYLBENZENE	748	
008006-61-9	GASOLINE		>= 250 tpy
0NY100-00-0	HAP	58131	
000110-54-3	HEXANE	5787	



Permit Review Report

Permit ID: 2-6405-00073/00060

Renewal Number: 1

03/24/2009

007439-92-1	LEAD	0.8
001634-04-4	METHYL TERTBUTYL ETHER	36578
000091-20-3	NAPHTHALENE	188
ONY210-00-0	OXIDES OF NITROGEN	40000
ONY075-00-0	PARTICULATES	4000
000540-84-1	PENTANE, 2,2,4-TRIMETHYL-	2916
000108-95-2	PHENOL	13
ONY075-00-5	PM-10	2000
007446-09-5	SULFUR DIOXIDE	56800
000108-88-3	TOLUENE	6190
ONY998-00-0	VOC	434800

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.



**Permit Review Report
Renewal Number: 1**

Permit ID: 2-6405-00073/00060

03/24/2009

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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

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

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

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.



Permit Review Report
Renewal Number: 1

Permit ID: 2-6405-00073/00060

03/24/2009

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY		103	Powers and Duties of the Department with respect to air pollution control
1-TANKS	40CFR 60-Kb.112b(a)	100	NSPS for volatile organic liquid storage vessels-standard for volatile organic compounds (VOC)
1-TANKS	40CFR 63-R.423	101	Subpart R-Standard: Storage Vessels
FACILITY	40CFR 63-R.424	41	Subpart R standard: Equipment leaks
FACILITY	40CFR 63-R.427 (c)	42	
1-TANKS	40CFR 63-R.428	102	Subpart R standard: Reporting and recordkeeping
FACILITY	40CFR 63-R.429	43	Subpart R standard: Delegation of authority
1-RACKS	40CFR 63-Y.560 (c)	56	NESHAP - Marine Tank Vessel Loading Operations - Applicability
1-RACKS	40CFR 63-Y.562	57	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (a)	58	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (b) (1) (i)	59	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (b) (1) (ii)	60	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (b) (1) (iii)	61	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (b) (2)	62	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (b) (5)	63	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (b) (6)	64	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (e) (1)	65	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (e) (2)	66	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (e) (4)	67	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (e) (5)	68	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.562 (e) (6)	69	NESHAP - Marine Tank Vessel Loading - Standards
1-RACKS	40CFR 63-Y.563	70	NESHAP - Marine Tank Vessel Loading - Compliance & Performance Testing
1-RACKS	40CFR 63-Y.563 (a)	71	NESHAP - Marine Tank Vessel Loading - Compliance & Performance Testing
1-RACKS	40CFR 63-Y.563 (b)	72, 73	NESHAP - Marine Tank Vessel Loading - Compliance & Performance Testing
1-RACKS	40CFR 63-Y.563 (c)	74	NESHAP - Marine Tank Vessel Loading - Compliance & Performance Testing



Permit Review Report

Permit ID: 2-6405-00073/00060

Renewal Number: 1

03/24/2009

1-RACKS	40CFR 63-Y.564	75	Vessel Loading - Compliance & Performance Testing NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (a) (1)	76	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (a) (2)	77	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (a) (3)	78	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (a) (4)	79	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (a) (5)	80	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (c)	81, 82	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (g)	83	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS/LOADA/RGS/VRU0A	40CFR 63-Y.564 (g)	94	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS/LOADA/RGS/VRU0B	40CFR 63-Y.564 (g)	95	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.564 (j)	84	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.565 (a)	85	Vessel Loading - Monitoring Requirements NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.565 (b)	86	Vessel Loading - Test Methods & Procedures NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.565 (d)	87	Vessel Loading - Test Methods & Procedures NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.565 (g)	88	Vessel Loading - Test Methods & Procedures NESHAP - Marine Tank
1-RACKS	40CFR 63-Y.565 (l)	89	Vessel Loading - Test Methods & Procedures NESHAP - Marine Tank
FACILITY	40CFR 63-Y.566	44	Vessel Loading - Test Methods & Procedures NESHAP - Marine Tank
FACILITY	40CFR 68	21	Vessel Loading - Construction & Reconstruction
FACILITY	40CFR 82-F	22	Chemical accident prevention provisions Protection of
FACILITY	6NYCRR 200.6	1	Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	104	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Prohibition of
FACILITY	6NYCRR 201-1.8	12	reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility



Permit Review Report

Permit ID: 2-6405-00073/00060

Renewal Number: 1

03/24/2009

FACILITY	6NYCRR 201-6	23, 45, 46	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5 (a) (4)	15	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5 (a) (7)	2	
FACILITY	6NYCRR 201-6.5 (a) (8)	16	
FACILITY	6NYCRR 201-6.5 (c)	3	
FACILITY	6NYCRR 201-6.5 (c) (2)	4	
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)	17	Emission Statements - Applicability Emission Statements - record keeping requirements. General Prohibitions - air pollution prohibited. General Prohibitions - visible emissions limited
FACILITY	6NYCRR 201-6.5 (e)	6, 24	
FACILITY	6NYCRR 201-6.5 (f) (6)	18	
FACILITY	6NYCRR 201-6.5 (g)	25	
FACILITY	6NYCRR 202-1.1	19	
FACILITY	6NYCRR 202-2.1	7, 26, 27	
FACILITY	6NYCRR 202-2.5	8	
FACILITY	6NYCRR 211.2	105	
FACILITY	6NYCRR 211.3	20	
FACILITY	6NYCRR 215	9	
FACILITY	6NYCRR 225-1.2	28, 29	Sulfur in Fuel Limitations.
FACILITY	6NYCRR 225-1.8	30	Reports, sampling and analysis.
FACILITY	6NYCRR 225-3.3 (a)	31	RVP Limitation - May 1st through September 15th
FACILITY	6NYCRR 225-3.4 (a)	32	Gasoline records to be maintained
FACILITY	6NYCRR 225-3.4 (b)	33	Records to be provided with distributed gasoline
FACILITY	6NYCRR 225-3.4 (c)	34	Gasoline record keeping requirements for retail or wholesale purchases - consumers
FACILITY	6NYCRR 225-3.4 (d)	35	Maintenance and availability of gasoline records
1--BOIL/00023/DIS/BOL23	6NYCRR 227-1.3	47	Smoke Emission Limitations.
1--BOIL/00025/DIS/BOL25	6NYCRR 227-1.3	50	Smoke Emission Limitations.
1--BOIL/00023/DIS/BOL23	6NYCRR 227-1.3 (a)	48	Smoke Emission Limitations.
1--BOIL/00025/DIS/BOL25	6NYCRR 227-1.3 (a)	51	Smoke Emission Limitations.
1--BOIL/00023/DIS/BOL23	6NYCRR 227-2.4 (d)	49	RACT for Oxides of Nitrogen - small boilers.
1--BOIL/00025/DIS/BOL25	6NYCRR 227-2.4 (d)	52	RACT for Oxides of Nitrogen - small boilers.
1-TANKS	6NYCRR 229.1 (b) (1) (i)	96	Existing requirements
1-RACKS	6NYCRR 229.1 (b) (2) (v)	53, 54	NYCMA petroleum liquid fixed roof tanks
1-RACKS/-/RGS	6NYCRR 229.1 (g)	90	Marine vessel loading facility requirements - NYC metro
1-RACKS	6NYCRR 229.1 (g) (3)	55	



Permit Review Report

Permit ID: 2-6405-00073/00060

Renewal Number: 1

03/24/2009

1-RACKS/-/RGS	6NYCRR 229.1 (g) (5)	91	
1-TANKS	6NYCRR 229.3 (a)	97, 98	Petroleum fixed roof tank control requirements
1-RACKS/LOADA/RGS/VPORS	6NYCRR 229.3 (d) (1)	93	Gasoline loading terminals
1-RACKS/LOADA/RGS	6NYCRR 229.3 (f)	92	Marine vessel loading facilities
FACILITY	6NYCRR 229.3 (f) (2)	36, 37	Marine vessel loading facilities
FACILITY	6NYCRR 229.4 (a)	38, 39	
1-TANKS	6NYCRR 229.5 (a)	99	Recordkeeping - petroleum liquid fixed roof storage tanks
FACILITY	6NYCRR 229.5 (e)	40	Recordkeeping - marine vessel loading facilities

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 201-6.5(g)

Permit Exclusion Provisions - specifies those actions, such as administrative orders, suits, claims for natural resource damages, etc that are not affected by the federally enforceable portion of the permit, unless they are specifically addressed by it.

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, KINDER MORGAN LIQUIDS TERMINALS LLC has been determined to be subject to the following regulations:

40CFR 60-Kb.112b (a)

This regulation requires that the petroleum liquid storage vessels with fixed roof must have internal floating roofs which meet the design criteria of the section 40 CFR 60-Kb.112b.

40CFR 63-R.423

This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with standard storage vessels requirements.

For storage vessels with a fixed roof in combination with an internal floating roof must meet the following requirements of 40 CFR 60.112b in order to comply with the NESHAP:



1. The internal floating roof shall rest or float on the liquid surface at all times, except during initial fill and those intervals when the storage vessel is completely emptied or subsequently emptied and refilled.
2. Each internal floating roof shall be equipped with a seal meeting the requirements of 40 CFR 60.112b(a)(1)(ii)
3. Each opening in a noncontact internal floating roof except for automatic bleeder vents and the rim space vents is to provide a projection below the surface.

For storage vessels with an external floating roof tank must meet the following requirements of 40 CFR 60.112b in order to comply with the NESHAP:

1. The external floating roof shall be equipped with a closure device between the wall of the storage vessel and the roof edge. The closure device shall consist of a primary seal and a secondary seal.
 - A. The primary seal shall be either a mechanical shoe seal or a liquid-mounted seal, and shall completely cover the annular space between the edge of the floating roof and the tank wall.
 - B. The secondary seal shall completely cover the annular space between the external floating roof and the wall of the storage vessel in a continuous fashion.
2. The roof shall be floating on the liquid at all times except during initial fill until the roof is lifted off leg supports and when the tank is completely emptied and subsequently refilled.

40CFR 63-R.424

This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to perform a monthly leak inspection of all equipment in gasoline service as per 40CFR63 Subpart R. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank. In addition, each owner or operator of an affected bulk gasoline terminal or pipeline breakout station, shall :

1. Use and sign a log book at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.
2. Record in the log book each detection of a liquid or vapor leak. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak. Delay of repair of leaking equipment will be allowed upon a demonstration to the Administrator that repair within 15 days is not feasible. The owner or operator shall provide the reasons a delay is needed and the date by which each repair is expected to be completed.
3. Not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time.

40CFR 63-R.427 (c)

Adjust for 427 (c)

This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one



HAP or greater than or equal to 25 tons per year of total HAP - that choose a carbon adsorption system for limiting the HAP emissions, to install in the exhaust air stream of the carbon adsorption unit and operate a continuous emission monitoring system (CEMS) capable of measuring organic compound concentration as per 40CFR63 Subpart R.

40CFR 63-R.428

This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to maintain the following records on site as per 40CFR63 Subpart R:

1. Records of the test results for each gasoline cargo tank loading at the facility, including results of the annual certification testing performed under 40CFR63.425(e), and continuous performance testing performed at that facility under 40CFR63.425(f), (g) and (h).
2. Up to date, readily accessible records of all continuous monitoring data.
3. All data and calculations used to determine the operating parameter value used to monitor the loading rack control device and demonstrate continuous compliance.
4. Records of all tank inspections, defects found, and measures taken to correct the defects, as required by 40CFR60.115b. These records must maintained for five years.
5. A log book of the leak detection and repair program.

40CFR 63-R.429

This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the delegation of authority.

(a) In delegating implementation and enforcement authority to a State under section 112(1) of the Act, the authority contained in paragraph (b) of this section shall be retained by the Administrator and not transferred to a State.

(b) The authority conferred in 40 CFR 63.426R and 40 CFR 63.427-Y(a)(5) will not be delegated to any State.

40CFR 63-Y.560 (c)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the requirements of Subpart A of Part 63, according to the applicability of Subpart A to such sources, as identified in Table 1 of Subpart Y. Subpart A is the General Provisions for the NESHAP for Source Categories regulations. The General Provisions contain requirements for performance testing, monitoring, notification, recordkeeping, reporting, and control devices that may apply to the source.

40CFR 63-Y.562

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Standards for MACT (marine tank vessel loading). This



regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to prevent a major source of HAP from escaping HAP emissions to the atmosphere from regeneration of the carbon bed when using a carbon adsorber to control HAP emissions from marine tank vessel loading operations.

The emission limitations in these paragraphs apply during marine tank vessel loading operations. The owner or operator of an existing source with emissions of 10 and 25 tons per year or more shall:

(i) Vapor collection system of the terminal - equip each terminal with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

(ii) Ship to Shore - limit marine tank vessel loading operations to those vessels that are equipped with vapor collection equipment that is compatible with the terminal's vapor collection system, except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

(iii) Vapor tightness of marine vessels - limit marine tank vessel loading operations to those vessels that are vapor tight and to those vessels that are connected to the vapor collection system except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

40CFR 63-Y.562 (a)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability Statement Standards for MACT (marine tank vessel loading). This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to prevent a major source of HAP from escaping HAP emissions to the atmosphere from regeneration of the carbon bed when using a carbon adsorber to control HAP emissions from marine tank vessel loading operations.

The emission limitations in paragraphs (b), (c), and (d) of this section apply during marine tank vessel loading operations. Standards for notification, operation of marine vapor collection system, ship to shore compatibility, vapor tightness of marine vessels, control efficiency, proper operation & monitoring during normal operations as well as startup, shutdown & malfunction apply during marine tank vessel loading operations.

40CFR 63-Y.562 (b) (1) (i)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Standards for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the vapor collection system of the terminal - equip each terminal with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

40CFR 63-Y.562 (b) (1) (ii)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Standards for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal



to 25 tons per year of total HAP - to comply with the ship to shore - limit marine tank vessel loading operations to those vessels that are equipped with vapor collection equipment that is compatible with the terminal's vapor collection system, except for those commodities exempted under 40 CFR 63.560(d), Subpart Y.

40CFR 63-Y.562 (b) (1) (iii)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Standards for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the vapor tightness of marine vessels. The owner or operator of a new source with emissions less than 10 and 25 tons and an existing or new source with emissions of 10 or 25 tons shall limit marine tank vessel loading operations to those vessels that are vapor tight and to those vessels that are connected to the vapor collection system, except for those commodities exempted under part 63.560(d).

40CFR 63-Y.562 (b) (2)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Standards for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with reducing captured HAP emissions from marine tank vessel loading operations by 97 weight-per-cent, as described using methods in §63.565 (d) and (l).

40CFR 63-Y.562 (b) (5)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Standards for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the operation and maintenance plan that should be developed by the source's compliance date. The owner or operator shall keep the written operation and maintenance plan on record to be made available for inspection, upon request, by the Administrator for the life of the source. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection upon request by the Administrator for a period of 5 years after each revision to the plan.

40CFR 63-Y.562 (b) (6)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability Statement Standards for MACT (marine tank vessel loading). This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to prevent a major source of HAP from escaping HAP emissions to the atmosphere from regeneration of the carbon bed when using a carbon adsorber to control HAP emissions from marine tank vessel loading operations.

Maintenance allowance for loading berths. The owner or operator of a source subject to paragraph (b)(2), (3) or (4), may apply for approval to the Administrator for a maintenance allowance for loading berths based on a percent of annual throughput or annual marine tank vessel loading operation time for commodities not exempted in 40 CFR 63.560(d), Subpart Y. The owner or operator shall maintain records for all maintenance performed on the air pollution control equipment. The Administrator will consider the following in approving the maintenance allowance:



- (i) The owner or operator to be in violation of the emissions standards due to maintenance;
- (ii) Due to conditions beyond the reasonable control of the owner or operator, compliance with the emissions standards during maintenance would result in unreasonable economic hardship;
- (iii) The economic hardship cannot be justified by the resulting air quality benefit;
- (iv) The owner or operator has given due consideration to curtailing marine vessel loading operations during maintenance;
- (v) During the maintenance allowance, the owner or operator will endeavor to reduce emissions from other loading berths that are controlled as well as from the loading berth the owner or operator is seeking the maintenance allowance; and
- (vi) During the maintenance allowance, the owner or operator will monitor and report emissions from the loading berth to which the maintenance allowance applies.

40CFR 63-Y.562 (e) (1)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability & Compliance for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

- (1) The Administrator will determine compliance with design, equipment, work practice, or operational emission standards by evaluating an owner or operator's conformance with operation and maintenance requirements.

40CFR 63-Y.562 (e) (2)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability & Compliance for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

The owner or operator of an affected source shall develop and implement a written operation and maintenance plan that describes in detail a program of corrective action for varying (i.e., exceeding baseline parameters) air pollution control equipment and monitoring equipment, based on monitoring requirements in 40 CFR 63-Y.564, used to comply with these emissions standards. The plan shall also identify all routine or otherwise predictable continuous monitoring system (thermocouples, pressure transducers, continuous emissions monitors (CEMS, etc.) variances).

40CFR 63-Y.562 (e) (4)



This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability & Compliance for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

If the operation and maintenance plan fails to address or inadequately addresses a variance event at the time the plan was initially developed, the owner or operator shall revise the operation and maintenance plan within 45 working days after such an event occurs. The revised plan shall include procedures for operating and maintaining the air pollution control equipment or monitoring equipment during similar variance events and a program for corrective action for such events.

40CFR 63-Y.562 (e) (5)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability & Compliance for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether acceptable operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

The operation and maintenance plan shall be developed by the source's compliance date. The owner or operator shall keep the written operation or maintenance plan on record to be made available for inspection, upon request, by the Administrator for the life of the source. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i. e. superseded) versions of the plan on record to be made available for inspection upon request by the Administrator for a period of 5 years after each revision to the plan.

40CFR 63-Y.562 (e) (6)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Applicability & Compliance for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to satisfy the requirements of the operation and maintenance plan, by using the source's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) plan, or other existing plans provided the alternative plans meet the requirements of this section and are made available for inspection when requested by the Administrator.

40CFR 63-Y.563

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Compliance and Performance Testing for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to determine compliance with the emissions limits under part 63.562(b), (c), and (d) for affected sources.



The emissions limitations apply during marine tank vessel loading operations. Compliance and performance testing for the required emission limits for Marine MACT requirements. All testing will be performed in compliance with this regulation by September 21, 1998.

40CFR 63-Y.563 (a)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Compliance and Performance Testing for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to use the following procedures to determine compliance with the emissions limits under 63.562(b)(1), (c)(2) and (d)(1):

Vent stream by-pass requirements for the terminal's vapor collection system: In accordance with 63.562(b)(1)(i), (c)(2)(i), each valve in the terminal's vapor collection system that would route displaced vapors to the atmosphere either directly or indirectly, shall be secured closed during marine tank vessel loading operations either by using a car-seal or a lock-and-key type configurations, or the by-pass line from the valve shall be equipped with a flow indicator, except for those valves used for pressure/vacuum relief, analyzers, instrumentation devices, sampling and venting for maintenance. Marine tank vessel loading operations shall not be performed with open by-pass lines.

Repairs shall be made to valves, car-seals, or closure mechanisms no later than 15 days after a change in the position of the valve or a break in the car-seal or closure mechanism is detected or no later than prior to the next marine tank vessel loading operation, whichever is later.

Ship-to-shore compatibility of vapor collection systems: Following the date on which the initial performance test is completed, marine tank vessel loading operations must be performed only if the marine tank vessel's vapor collection equipment is compatible to the terminal's vapor collection system; marine tank vessel loading operations must be performed only when the marine tank vessel's vapor collection equipment is connected to the terminal's vapor collection system, as required in 63.562(b) in 63.562(b)(1)(ii), (c)(2)(ii) and (d)(1)(ii).

Pressure/vacuum settings for the marine tank vessel's vapor collection equipment: During the initial performance test required in paragraph (b)(1) of this section, the owner or operator of an affected source shall demonstrate compliance with operating pressure requirements of 33 CFR 154.814 using the procedures in 63.565(b).

Vapor-tightness requirements of the marine vessel: The owner or operator of an affected source shall use the procedures in paragraph (a)(4)(i), (ii), (iii) or (iv) of this section to insure that marine tank vessels are vapor tight, as required in 63.562(b)(1)(iii), (c)(2)(iii) and (d)(1)(iii). New York State Department of Environmental Conservation requires ExxonMobil's verification that vessels (ships or barges) loading at ExxonMobil - port Mobil Marine Terminal have successfully demonstrated vapor tightness during a performance test.

40CFR 63-Y.563 (b)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Compliance and Performance Testing for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to use the following procedures to determine compliance with the emissions limits under part 63.562(b), (c), and (d) for affected sources:

((1) Initial performance test: An initial performance test shall be conducted using the procedures listed in §63.7 of subpart A of this part according to the applicability in Table 1 of §63.560, the procedures listed in this section, and the test methods listed in §63.565. The initial performance test shall be conducted within 180 days after the



compliance date for the specific affected source. During this performance test, sources subject to MACT standards under §63.562(b)(2), (3), (4), and (5) and (d)(2) shall determine the reduction of HAP emissions, as VOC, for all combustion or recovery devices other than flares. Sources subject to RACT standards under §63.562(c)(3), (4), and (5) and (d)(2) shall determine the reduction of VOC emissions for all combustion or recovery devices other than flares.

(3) Operation and maintenance inspections: If the 3-hour or 3-cycle block average operating parameters in paragraphs (b)(4) through (9) of this section, outside the acceptable operating ranges, are measured and recorded, i.e., variances of the pollution control device or monitoring equipment, the owner or operator of the affected source shall perform an unscheduled inspection of the control device and monitoring equipment and review of the parameter monitoring data. The owner or operator of the affected source shall perform an inspection and review when total parameter variance time for the control device is greater than 10 percent of the operating time for marine tank vessel loading operations on a 30-day, rolling-average basis. The inspection and review shall be conducted within 24 hours after passing the allowable variance time of 10 percent. The inspection checklist from the requirements of §63.562(e)(2)(iii) and the monitoring data from requirements in §§63.562(e)(2)(ii) and 63.564 should be used to identify any maintenance problems that may be associated with the variance. The unscheduled inspection should encompass all components of the control device and monitoring equipment that can be inspected while in operation. If any maintenance problem is identified during the inspection, the owner or operator of the affected source must take corrective action (e.g., adjustments to operating controls, etc.) as soon as practicable. If no immediate maintenance problems are identified from the inspection performed while the equipment is operating, a complete inspection in accordance with §63.562(e)(2) must be conducted prior to the next marine tank vessel loading operation and corrective action (e.g., replacement of defective parts) must be taken as soon as practicable for any maintenance problem identified during the complete inspection.

(6) Carbon adsorber: During the initial performance test required in paragraph (b)(1) of this section, the owner or operator shall determine the efficiency of and/or the outlet VOC concentration from the recovery device used to comply with §63.562(b)(2), (3), (4), and (5), (c)(3), (4), and (5), and (d)(2) using the test methods in §63.565(d). The owner or operator shall comply with paragraph (b)(6)(i) as well as either paragraph (b)(6)(ii) or (iii) of this section. The owner or operator of affected sources complying with paragraph (b)(6)(ii)(B) or (C) of this section shall conduct a performance test once each year.

(8) Absorber. During the initial performance test required in paragraph (b)(1) of this section, the owner or operator shall determine the efficiency of the absorber and/or the outlet VOC concentration from the recovery device used to comply with §63.562(b)(2), (3), and (4), (c)(3) and (4), and (d)(2) using the test methods in §63.565(d). The owner or operator shall comply with either paragraph (b)(8)(i) or (ii) of this section. Mobil - Port Mobil Terminal, who was the former owner of the Kinder Morgan Staten Island Marine Terminal, has established the initial performance test on 6/29/1999 for Unit "A" (Emission Point LOADA) and on 6/30/1999 for Unit "B" (Emission Point LOADB).

(i) VOC outlet concentration limit for required percent recovery efficiency. The owner or operator shall establish as an operating parameter the baseline VOC concentration using the procedures described in §63.565(g). Following the date on which the initial performance test is completed, the facility shall be operated with a block average outlet VOC concentration as determined in §63.564(i)(1) no more than 20 percent above the baseline VOC concentration.

(ii) Baseline liquid-to-vapor ratio for required percent recovery efficiency. The owner or operator shall establish as an operating parameter the baseline liquid flow to vapor flow (L/V) ratio using the procedures described in §63.565(k). Following the date on which the initial performance test is completed, the facility shall operate with a block average L/V ratio, as determined in §63.564(i)(2), no more than 20 percent below the baseline L/V ratio.

(9) Alternative control devices. For sources complying with §63.562(b)(2), (3), and (4), (c)(3) and (4), and (d)(2) with the use of a control technology other than the devices discussed in paragraphs (b)(4) through (8) of this section, the owner or operator of an affected source shall provide to the Administrator information describing the design and operation of the air pollution control system, including recommendations for the operating parameter(s) to be monitored to indicate proper operation and maintenance of the air pollution control system. Based on this



information, the Administrator shall determine the operating parameter(s) to be established during the performance test.

(10) Emission estimation. The owner or operator of a source subject to §63.562(b)(2), (3), and (4) shall use the emission estimation procedures in §63.565(l) to calculate HAP emissions.

40CFR 63-Y.563 (c)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Compliance and Performance Testing for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to determine compliance with the emissions limits under part 63.562(b), (c), and (d) for affected sources.

Leak detection and repair for vapor collection systems and control devices. The following procedures are required for all sources subject to 40 CFR 63-Y.562(b), (c), or (d).

(1) Annual leak detection and repair for vapor collection systems and control devices. The owner or operator of an affected source shall inspect and monitor all ductwork and piping and connections to vapor vapor collections system and control devices once each calendar year using Method 21.

(2) Ongoing leak detection and repair for vapor collection systems and control devices. If evidence of a potential leak is found by visual, audible, olfactory, or any other detection method, all ductwork and piping and connections to vapor collection systems and control devices shall be inspected to the extent necessary to positively identify the potential leak and any potential leaks shall be monitored within 5 days by Method 21. Each detection of a leak shall be recorded, and the leak shall be tagged until repaired.

(3) When a leak is detected, a first effort to repair the vapor collection system and control device shall be made within 15 days or prior to the next marine tank vessel loading operation, whichever is later.

40CFR 63-Y.564

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring Requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the monitoring requirements in §63.8 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and the monitoring requirements in this section.

Monitoring requirements for the vapor collection system and marine vessels. All monitoring will be conducted in compliance with this regulation by the compliance date of September 21, 1998.

40CFR 63-Y.564 (a) (1)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring Requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the monitoring requirements in §63.8 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and the monitoring requirements in this section.



40CFR 63-Y.564 (a) (2)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to require monitoring of the parameters specified in this section. All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the source are obtained. For monitoring equipment purchased from a vendor, verification of the operational status of the monitoring equipment shall include completion of the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system.

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors. Also, the averaging method is "None."

40CFR 63-Y.564 (a) (3)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations Operations - Monitoring requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to require monitoring of (except for system breakdowns, out-of-control periods, repairs, maintenance periods, calibration checks, and zero (low-level) and high-level calibration drift adjustments), all continuous parametric monitoring systems (CPMS) and CEMS to be in continuous operation while marine tank vessel loading operations are occurring and shall meet minimum frequency of operation requirements. Sources monitoring by use of CEMS and CPMS shall complete a minimum of one cycle of operation (sampling, analyzing, and/or data recording) for each successive 15-minute period.

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors. Also, the averaging method is "None."

40CFR 63-Y.564 (a) (4)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to require monitoring of a CMS installed in accordance with these emissions standards to comply with the performance specifications either in performance specification (PS) 8, 8a and 2 in 40 CFR part 60, appendix B for CEMS or in § 63.7(c)(6) of subpart A of this part for CPMS. This facility (formerly known as Exxon Mobil Oil Corporation - Port Mobil Terminal) has chosen to comply with the performance specification (PS) 8, 8a and 2 in 40 CFR part 60.

Kinder Morgan Staten Island Marine Terminal shall implement a QA/QC protocol for the operation of the vapor recovery unit (VRU) continuous emission monitor (CEM) / data acquisition system (DAS). The CEMS located at the VRU shall undergo calibration checks on a daily basis using the high level (70-80 % span) gas and on a quarterly basis. The quarterly checks will follow 40 CFR 60 Appendix B; PST 2, 8 and 8A for total hydrocarbon analyzers. An annual calibration drift check will be conducted in accordance with 40 CFR 60 Appendix B; PST 2, 8 and 8A procedures as the Reference Test Method.

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

All documents will be maintained on-site for a period of five (5) years and will be made available to NYS DEC upon request.

40CFR 63-Y.564 (a) (5)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to require monitoring of a CEMS that is out of control, when the measured values (i.e., daily calibrations, multipoint calibrations, and performance audits) exceed the limits specified in either PS 8 or in §63.8(c)(7) of subpart A of this part. The owner or operator of a CEMS that is out of control shall submit all information concerning out of control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in §63.567(e).

The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

40CFR 63-Y.564 (c)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to monitor the pressure/vacuum settings for the marine tank vessel's vapor collection equipment. Owners or operators of a source complying with 40 CFR 63Y.563(a)(3) shall measure continuously the operating pressure of the marine tank vessel during loading or each loading cycle.

Since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels, but uses them, New York State Department of Environmental Conservation requires Kinder Morgan's verification that the pressure vacuum/settings for the marine tank vessel's (ship's or barge's) vapor collection equipment are continuously measured and are successfully demonstrated (in compliance) during loading or each loading cycle.

40CFR 63-Y.564 (g)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring requirements for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to monitor the baseline outlet VOC concentration. The procedures in this paragraph shall be used to determine the outlet VOC concentration required in §63.563(b)(4), (6), (7), and (8) for combustion devices except flare, carbon adsorbers, condenser/refrigeration units, and absorbers, respectively, and to monitor the VOC concentration as required in §63.564(e), (g), (h), and (i). The owner or operator shall use the procedures outlined in Method 25A. For the baseline VOC concentration, the arithmetic average of the outlet VOC concentration from three test runs from paragraph (d) of this section shall be calculated for the control device. The VOC concentration shall be measured at least every 15 minutes. Compliance testing of VOC CEMS shall be performed using any of the following Reference Test Methods in 40 CFR 60 Appendix B: Method 25A, B and PST 8, 8A and 2.

40CFR 63-Y.564 (j)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Monitoring requirements (alternate monitoring procedures) for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with alternate monitoring procedures. Alternate procedures to those described in this section may be used upon application to, and



approval by, the Administrator. The owner or operator shall comply with the procedures for use of an alternative monitoring method in §63.8(f).

40CFR 63-Y.565 (a)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Test Methods & Procedures for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the pressure/vacuum settings of marine tank vessel's vapor collection equipment. For the purpose of determining compliance with §63.563(a)(3), the following procedures shall be used:

Performance testing. The owner or operator of an affected sources in §63.562 shall comply with the performance testing requirements in §63.7 of Subpart A of this psrt in Table 1 of §63.560 and the performance testing requirements in this section.

40CFR 63-Y.565 (b)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Test Methods & Procedures for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the pressure/vacuum settings of marine tank vessel's vapor collection equipment. For the purpose of determining compliance with §63.563(a)(3), the following procedures shall be used:

- (1) Calibrate and install a pressure measurement device (liquid manometer, magnehelic gauge, or equivalent instrument) capable of measuring up to the maximum relief set pressure of the pressure-vacuum vents;
- (2) Connect the pressure measurement device to a pressure tap in the terminal's vapor collection system, located as close as possible to the connection with the marine tank vessel; and
- (3) During the performance test required in §63.563(b)(1), record the pressure every 5 minutes while a marine tank vessel is being loaded and record the highest instantaneous pressure and vacuum that occurs during each loading cycle.

Since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels (ships or barges), but uses them, New York State Department of Environmental Conservation requires Kinder Morgan's verification that the pressure/vacuum settings for the marine tank vessel's (ship's or barge's) vapor collection equipment are continuously calibrated, measured, recorded and are successfully demonstrated (to be in compliance) during each loading cycle.

40CFR 63-Y.565 (d)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Test Methods & Procedures for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the pressure/vacuum settings of marine tank vessel's vapor collection equipment. For the purpose of determining compliance with §63.563(a)(3), the following procedures shall be used:

Combustion (except flare) and recovery control device performance test procedures.



- (1) All testing equipment shall be prepared and installed as specified in the appropriate test methods.
- (2) All testing shall be performed during the last 20 percent of loading of a tank or compartment.
- (3) All emission testing intervals shall consist of each 5 minute period during the performance test. For each interval, the following shall be performed:
 - (i) Readings. The reading from each measurement instrument shall be recorded.
 - (ii) Sampling Sites. Method 1 or 1A of appendix A of part 60 of this chapter, as appropriate, shall be used for selection of sampling sites. Sampling sites shall be located at the inlet and outlet of the combustion device or recovery device except for owners or operators complying with the 1,000 ppmv VOC emissions limit for gasoline vapors under §63.563(b)(6) or (7), where the sampling site shall be located at the outlet of the recovery device.
 - (iii) Volume exhausted. The volume exhausted shall be determined using Method 2, 2A, 2C, or 2D of appendix A of part 60 of this chapter, as appropriate.

40CFR 63-Y.565 (g)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Test Methods & Procedures for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with baseline outlet VOC concentration. The procedures in this paragraph shall be used to determine the outlet VOC concentration required in §63.563(b)(4), (6), (7), and (8) for combustion devices except flare, carbon adsorbers, condenser/refrigeration units, and absorbers, respectively, and to monitor the VOC concentration as required in §63.564(e), (g), (h), and (i). The owner or operator shall use the procedures outlined in Method 25A. For the baseline VOC concentration, the arithmetic average of the outlet VOC concentration from three test runs from paragraph (d) of this section shall be calculated for the control device. The VOC concentration shall be measured at least every 15 minutes. Compliance testing of VOC CEMS shall be performed using any of the following Reference Test Methods in 40 CFR 60 Appendix B: Method 25A, B and PST 8, 8A and 2.

40CFR 63-Y.565 (l)

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Test Methods & Procedures for MACT standards. This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the pressure/vacuum settings of marine tank vessel's vapor collection equipment. For the purpose of determining compliance with §63.563(a)(3), the following procedures shall be used:

Emission estimation procedures. For sources with emissions less than 10 or 25 tons and sources with emissions of 10 or 25 tons, the owner or operator shall calculate an annual estimate of HAP emissions, excluding commodities exempted by §63.560(d), from marine tank vessel loading operations. Emission estimates and emission factors shall be based on test data, or if test data is not available, shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source.

40CFR 63-Y.566

This regulation is for the applicability and designation of affected source of MACT standards for Section 63 NESHAP - Marine Tank Vessel Loading Operations - Construction & Reconstruction for MACT standards.



This regulation requires gasoline distribution facilities (bulk gasoline terminals and pipeline breakout stations) subject to the MACT (section 63 NESHAPS) - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP - to comply with the construction & reconstruction.

(a) The owner or operator of an affected source shall fulfill all requirements for construction or reconstruction of a source in §63.5 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and construction or reconstruction requirements in this section.

(b)(1) Application for approval of construction or reconstruction. The provisions of this paragraph and §63.5(d)(1)(ii) and (iii), (2), (3), and (4) of subpart A implement section 112(i)(1) of the Act.

(2) General application requirements. An owner or operator who is subject to the requirements of §63.5(b)(3) of subpart A shall submit to the Administrator an application for approval of the construction of a new source, the reconstruction of a source, or the reconstruction of a source not subject to the emissions standards in §63.562 such that the source becomes an affected source. The application shall be submitted as soon as practicable before the construction or reconstruction is planned to commence. The application for approval of construction or reconstruction may be used to fulfill the initial notification requirements of §63.567(b)(3). The owner or operator may submit the application for approval well in advance of the date construction or reconstruction is planned to commence in order to ensure a timely review by the Administrator and that the planned commencement date will not be delayed.

(c) Approval of construction or reconstruction based on prior State preconstruction review. The owner or operator shall submit to the Administrator the request for approval of construction or reconstruction under this paragraph and §63.5(f)(1) of subpart A of this part no later than the application deadline specified in paragraph (b)(2) of this section. The owner or operator shall include in the request information sufficient for the Administrator's determination. The Administrator will evaluate the owner or operator's request in accordance with the procedures specified in §63.5(e) of subpart A of this part. The Administrator may request additional relevant information after the submittal of a request for approval of construction or reconstruction.

6NYCRR 225-1.2

This regulation limits the amount of sulfur present in the fuel burned at the facility.

6NYCRR 225-1.8

This regulation requires an owner or operator of a facility which purchases and fires coal and/or oil to submit reports to the commissioner containing fuel analysis data, 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.

6NYCRR 225-3.3 (a)

This regulation prohibits anyone from selling or supplying gasoline having a Reid vapor pressure greater than 9.0 pounds per square inch during the period between May 1 through September 15 of each year. The Reid vapor pressure is a measure of the vapor pressure of a gasoline in pounds per square inch at 100° F.

6NYCRR 225-3.4 (a)

This regulation requires the owner or operator of any refinery, terminal or bulk plant to maintain records of the



amount of gasoline delivered to or distributed from the facility.

6NYCRR 225-3.4 (b)

This regulation specifies the records that shall be provided with gasoline distributed from the facility. These include the maximum Reid vapor pressure of the gasoline, the time period it is intended to be dispensed and the quantity and shipment date.

6NYCRR 225-3.4 (c)

This regulation sets forth the requirements for records to be maintained on each delivery of gasoline to the facility. The records will include a certification that the gasoline conforms with applicable Reid vapor pressure (RVP) and oxygen content as specified in 225-3, documentation of maximum RVP of the gasoline, time periods when the gasoline is intended to be dispensed and the shipment quantity.

6NYCRR 225-3.4 (d)

This regulation requires the facility to maintain records that may be required under 6 NYCRR Part 225-3.4(a), (b) or (c). These 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.

6NYCRR 227-1.3

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

6NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

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 229 .1 (b) (1) (i)

This requires the owner or operator of any petroleum liquid fixed roof tank with a capacity of 40,000 gallons or more located at facilities in the New York City metropolitan area which emit volatile organic compounds to comply with this Part by October 1, 1982.

6NYCRR 229 .1 (b) (2) (v)

This requires the owner or operator of any marine vessel loading facility which loads petroleum liquids to a marine delivery vessel at a gasoline loading terminal located at facilities in the New York City metropolitan area to meet the requirements of the compliance schedule in subdivision (g) of this section and the control requirements of section 229.3(f) of this Part

6NYCRR 229 .1 (g)

This regulation is for compliance schedule. This regulation requires the owners or operators of processes subject to this Part to:

1. Submit a permit to construct or certificate to operate for sources previously exempted by Part 201 of this Title to the Department of Environmental Conservation by May 15, 1993;
2. Submit a compliance plan to the Department of Environmental Conservation by November 15, 1993, which contains a schedule of the steps necessary for the facility to achieve compliance with



this Part or reduce its annual potential to emit below the applicability criteria and the dates by which each step will be completed;

3. Be in compliance with this Part or reduce its daily throughput below the applicability criteria by November 15, 1994 for marine vessel loading facilities;

4. Be in compliance with this Part or have had its permits modified to limit its annual potential to emit below the applicability criteria by June 1, 1995; and

5. Maintain the VOC control requirements included in any existing permit, regulation, rule, administrative order, or any judicial order until compliance with the provisions of this Part is demonstrated to the satisfaction of the commissioner.

6NYCRR 229 .1 (g) (3)

This regulation is for compliance schedule. This regulation requires the owners or operators of marine vessel loading facilities or petroleum and VOC storage and transfer facilities subject to this requirement to be in compliance with this part or reduce its daily throughput below the applicability criteria by November 15, 1994.

6NYCRR 229 .1 (g) (5)

This regulation is for compliance schedule. This regulation requires the owners or operators of marine vessel loading facilities or petroleum and VOC storage and transfer facilities subject to this requirement to maintain the VOC control requirements included in any existing permit, regulation, rule, administrative order, or any judicial order until compliance with the provisions of this Part is demonstrated to the satisfaction of the commissioner.

6NYCRR 229 .3 (a)

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

6NYCRR 229 .3 (d) (1)

This regulation requires gasoline vapor collection and control systems subject to Part 229 to capture gasoline vapors during loading and unloading of gasoline transport vehicles, and condense, absorb, adsorb or combust the gasoline vapors so emissions do not exceed 0.67 pounds per 1,000 gallons of gasoline loaded or unloaded. The requirement allows equivalent control systems provided they are acceptable to the department. Test methods to determine the level of gasoline vapors which are acceptable to the commissioner must be used to determine compliance with this standard.

6NYCRR 229 .3 (f)

This regulation requires the owners or operators of marine vessel loading facilities of 15,000 gallons of gasoline or less per day, to be equipped with and operate a vapor balance system or other control system which must have no open operating system to the atmosphere during transfer, and must not return the vapors to any tank equipped with a floating roof tank. The vapor control system is required to reduce the total VOC emissions to the outdoor atmosphere by at least 90 percent by weight.

6NYCRR 229 .3 (f) (2)

This regulation requires the owners or operators of marine vessel loading facilities of 15,000 gallons of gasoline or less per day, to be equipped with and operate a vapor balance system or other control system which must have no open operating system to the atmosphere during transfer, and must not return the vapors to any tank equipped with a floating roof tank. The vapor control system is required to control at least 90% of the total VOC emissions to the outdoor atmosphere.



6NYCRR 229 .4 (a)

This subdivision specifies the test methods that must be used when a test is required to determine compliance with Part 229.

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 (e)

This section specifies that a record of the daily gasoline throughput, in gallons, for marine vessel loading facilities subject to Part 229.3 be maintained for a period of 5 years.

Non Applicability Analysis

List of non-applicable rules and regulations:

Location Facility/EU/EP/Process/ES	Regulation	Short Description
FACILITY	40CFR 60-K	Petroleum liquid storage tanks over 40,000 gallons capacity

Reason: NSPS for petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC is non-applicable for this facility because all of the sixteen (16) storage tanks were constructed and began operation on or before 1954 which is before the applicability dates of 40 CFR 60 Subpart K (6/11/1973 - 5/19/1978). Specifically, Tanks 44 & 45 were constructed in 1940; Tanks 49, 50, 51 & 52 were constructed in 1943; Tanks 53 & 54 were constructed in 1947; Tanks 55, 56 & 57 were constructed in 1948; Tank 60 was constructed in 1950; Tanks 58 & 59 were constructed in 1951; and Tanks 61 & 62 were constructed in 1954. A change in products stored in the storage tanks or installation of floating roof does not subject the storage tanks to the requirements of 40 CFR 60 Subpart K. The sixteen (16) storage tanks are in Emission Unit 1-TANKS and they are Tanks 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60,61 and 62.

FACILITY	40CFR 60-Ka	Petroleum storage
----------	-------------	-------------------

Reason: NSPS for petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC is non-applicable for this facility because all of the sixteen (16) storage tanks were constructed and began operation on or before 1954 which is before the applicability dates of 40 CFR 60 Subpart Ka (5/18/1978 - 7/23/1984). Specifically, Tanks 44 & 45 were constructed in 1940; Tanks 49, 50, 51 & 52 were constructed in 1943; Tank 53 and 54 were constructed in 1947; Tanks 55, 56 & 57 were constructed in 1948; Tank 60 was constructed in 1950; Tanks 58 & 59 were constructed in 1951; and Tanks 61 & 62 were constructed in 1954. A change in products stored in the storage tanks or installation of floating roof does not subject the storage tanks to the requirements of 40 CFR 60 Subpart Ka. The sixteen (16) storage tanks are in Emission Unit 1-TANKS and they are Tanks 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62.

FACILITY	40CFR 60-Kb	NSPS for volatile organic liquid storage vessels- applicability and designation of affected facilities
----------	-------------	--

Reason: NSPS for petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC is non-applicable for this facility because all of the sixteen (16) storage tanks were constructed and began operation on or before 1954 which is before the applicability date of 40 CFR 60 Subpart Kb (7/23/1984). Specifically, Tanks 44 & 45 were constructed in 1940; Tanks 49, 50, 51 & 52 were constructed in 1943; Tank 53 & 54 were constructed in 1947; Tanks 55, 56 & 57 were constructed in 1948; Tank 60 was constructed in 1950; Tanks 58 & 59 were constructed in 1951; and Tanks 61 & 62 were constructed in 1954. A change in products stored in the storage tanks or installation of floating roof does not subject the storage tanks to the requirements of 40 CFR 60 Subpart Kb. The



Permit Review Report

Permit ID: 2-6405-00073/00060

Renewal Number: 1

03/24/2009

sixteen (16) storage tanks are in Emission Unit 1-TANKS and they are Tanks 44, 45, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62.

FACILITY 40CFR 60-XX Gasoline terminal loading racks over 20,000 gallons per day

Reason: NSPS for Standard of Performance for Bulk gasoline Terminals Loading Racks over 20,000 gallons per day, 40 CFR 60 Subpart XX - reporting and recordkeeping is non-applicable for this facility because this facility does not have a truck loading rack, it is a marine terminal only and it does not deliver liquid product into gasoline tank trucks.

FACILITY 40CFR 63-R.427 Subpart R standard: Continuous monitoring

Reason: Regulation 40 CFR 63.427(a) & (b), Subpart R is not applicable to this facility because there are no vapor controls at this facility for Subpart R compliance, mainly because gasoline cargo tanks (delivery tank trucks or railcars) are not loaded at this facility.

Regulation 40 CFR 63.428(c) 1-3, Subpart R is not applicable to this facility because there are no vapor controls at this facility for Subpart R compliance, mainly because gasoline cargo tanks (delivery tank trucks or railcars) are not loaded at this facility.

FACILITY 40CFR 63-R.428 Subpart R standard: Reporting and recordkeeping
1-RACKS 40CFR 63-Y.560(a)(1) NESHAP - Marine Tank Vessel Loading Operations - Applicability

Reason: Regulation 40 CFR 63.560(a)(1), Subpart Y at Emission Unit 1-RACKS is for the applicability provisions to Subpart Y for HAP. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

1-RACKS 40CFR 63-Y.560(e)(1)(i) NESHAP - Marine Tank Vessel Loading Operations - Applicability

Reason: Regulation 40 CFR 63.560(e)(1)(i), Subpart Y is for the compliance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

1-RACKS 40CFR 63-Y.560(e)(2)(i) NESHAP - Marine Tank Vessel Loading Operations - Applicability

Reason: Regulation 40 CFR 63.560(e)(2)(i), Subpart Y is for the compliance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

1-RACKS 40CFR 63-Y.560(e)(2)(ii) NESHAP - Marine Tank Vessel Loading Operations - Applicability

Reason: Regulation 40 CFR 63.560(e)(2)(ii), Subpart Y is for the compliance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon Mobil), and therefore; it is not an applicable certification requirement.

1-RACKS 40CFR 63-Y.560(e)(2)(v) NESHAP - Marine Tank Vessel Loading Operations - Applicability

Reason: Regulation 40 CFR 63.560(e)(2)(v), Subpart Y is for the extension of compliance allowance dates applicability for MACT Sources for HAP at Emission Unit 1-RACKS of up to 1 year if it can demonstrate that the additional time is necessary for installation of the control device. This applicability is a one-time requirement that was fulfilled by the previous owner/operator (Exxon



Permit Review Report

Permit ID: 2-6405-00073/00060

Renewal Number: 1

03/24/2009

1-RACKS/LOADA 6NYCRR 229.3(d) Gasoline loading terminals

Reason: Regulation 6 NYCRR 229.3(d) for LOADA is not applicable to this facility because this regulation refers to gasoline truck loading terminals, and this facility does not have a truck loading rack. This facility is only a Marine Vessel Loading facility.

1-RACKS/LOADB 6NYCRR 229.3(d) Gasoline loading terminals

Reason: Regulation 6 NYCRR 229.3(d) for LOADB is not applicable to this facility because this regulation refers to gasoline truck loading terminals, and this facility does not have a truck loading rack. This facility is only a Marine Vessel Loading facility.

NOTE: Non-applicability determinations are cited as a permit condition under 6 NYCRR Part 201-6.5(g). This information is optional and provided only if the applicant is seeking to obtain formal confirmation, within an issued Title V permit, that specified activities are not subject to the listed federal applicable or state only requirement. The applicant is seeking to obtain verification that a requirement does not apply for the stated reason(s) and the Department has agreed to include the non-applicability determination in the issued Title V permit which in turn provides a shield against any potential enforcement action.

Compliance Certification

Summary of monitoring activities at KINDER MORGAN LIQUIDS TERMINALS LLC:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
1-TANKS	100	record keeping/maintenance procedures
1-TANKS	101	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
FACILITY	42	record keeping/maintenance procedures
1-TANKS	102	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
1-RACKS	57	record keeping/maintenance procedures
1-RACKS	58	record keeping/maintenance procedures
1-RACKS	59	record keeping/maintenance procedures
1-RACKS	60	record keeping/maintenance procedures
1-RACKS	61	record keeping/maintenance procedures
1-RACKS	62	record keeping/maintenance procedures
1-RACKS	63	record keeping/maintenance procedures
1-RACKS	64	record keeping/maintenance procedures
1-RACKS	65	record keeping/maintenance procedures
1-RACKS	66	record keeping/maintenance procedures
1-RACKS	67	record keeping/maintenance procedures
1-RACKS	68	record keeping/maintenance procedures
1-RACKS	69	record keeping/maintenance procedures
1-RACKS	70	record keeping/maintenance procedures
1-RACKS	71	record keeping/maintenance procedures
1-RACKS	72	record keeping/maintenance procedures



**Permit Review Report
Renewal Number: 1**

Permit ID: 2-6405-00073/00060

03/24/2009

1-RACKS	73	procedures monitoring of process or control device parameters as surrogate
1-RACKS	74	record keeping/maintenance procedures
1-RACKS	75	record keeping/maintenance procedures
1-RACKS	76	monitoring of process or control device parameters as surrogate
1-RACKS	77	monitoring of process or control device parameters as surrogate
1-RACKS	78	monitoring of process or control device parameters as surrogate
1-RACKS	79	continuous emission monitoring (cem)
1-RACKS	80	monitoring of process or control device parameters as surrogate
1-RACKS	81	monitoring of process or control device parameters as surrogate
1-RACKS	82	monitoring of process or control device parameters as surrogate
1-RACKS	83	monitoring of process or control device parameters as surrogate
1-RACKS/LOADA/RGS/VRU0A	94	monitoring of process or control device parameters as surrogate
1-RACKS/LOADA/RGS/VRU0B	95	monitoring of process or control device parameters as surrogate
1-RACKS	84	record keeping/maintenance procedures
1-RACKS	85	record keeping/maintenance procedures
1-RACKS	86	record keeping/maintenance procedures
1-RACKS	87	record keeping/maintenance procedures
1-RACKS	88	record keeping/maintenance procedures
1-RACKS	89	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	24	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	26	record keeping/maintenance procedures
FACILITY	27	record keeping/maintenance procedures
FACILITY	28	work practice involving specific operations
FACILITY	29	work practice involving specific operations
FACILITY	30	record keeping/maintenance procedures
FACILITY	31	work practice involving specific operations
FACILITY	32	record keeping/maintenance procedures



FACILITY	33	record keeping/maintenance procedures
FACILITY	34	record keeping/maintenance procedures
FACILITY	35	record keeping/maintenance procedures
1--BOIL/00023/DIS/BOL23	47	record keeping/maintenance procedures
1--BOIL/00025/DIS/BOL25	50	record keeping/maintenance procedures
1--BOIL/00023/DIS/BOL23	48	monitoring of process or control device parameters as surrogate
1--BOIL/00025/DIS/BOL25	51	monitoring of process or control device parameters as surrogate
1--BOIL/00023/DIS/BOL23	49	record keeping/maintenance procedures
1--BOIL/00025/DIS/BOL25	52	record keeping/maintenance procedures
1-TANKS	96	record keeping/maintenance procedures
1-RACKS	53	record keeping/maintenance procedures
1-RACKS	54	monitoring of process or control device parameters as surrogate
1-RACKS/-/RGS	90	record keeping/maintenance procedures
1-RACKS	55	record keeping/maintenance procedures
1-TANKS	97	record keeping/maintenance procedures
1-TANKS	98	record keeping/maintenance procedures
1-RACKS/LOADA/RGS/VPORS	93	record keeping/maintenance procedures
FACILITY	36	record keeping/maintenance procedures
FACILITY	37	record keeping/maintenance procedures
FACILITY	39	record keeping/maintenance procedures
1-TANKS	99	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures

Basis for Monitoring

The facility is subject to the MACT (section 63 NESHAPS) for marine tank vessel loading - facilities that emit greater than or equal to 10 tons per year of any one HAP or greater than or equal to 25 tons per year of total HAP.

The marine vapor recovery unit is regulated by 40 CFR 63 Subpart Y. The MACT standard requires that the vapor recovery units reduce captured HAP emission from marine tank vessel loading operations by 97 percent by weight as stated in 40 CFR 63.562(b)(2).

The facility is not subject to 6 NYCRR 230, Gasoline transport vehicles, since the facility does not load gasoline into cargo tanks (e.g. tank trucks or rail cars). The facility does load petroleum products into marine vessels.

The Title V Permit contains a complete listing of the applicable federal and state compliance monitoring requirements for the facility, its emission units, its emission points, its processes and



its emission sources/controls. The Kinder Morgan Staten Island (KMSI) Marine Terminal Facility is subject to the provisions of Title V specified under 6 NYCRR 201-6 for record keeping and compliance reporting in addition to the following regulations and conditions:

Condition #28 for 6 NYCRR 225-1.2 for Sulfur Dioxide: The facility #6 residual fuel oil is limited to 0.30 % sulfur content by weight.

Condition #29 for 6 NYCRR 225-1.2 for Sulfur Dioxide: The facility #2 distillate fuel oil is limited to 0.20 % sulfur content by weight.

Condition #31 for 6 NYCRR 225-3.3(a): 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 of May 1st through September 15th of each year.

Condition #36 for 6 NYCRR 229.3(f)(2) for VOC: At the marine tank vessel loading/unloading, the facility is required to be equipped with and operate a gasoline vapor recovery system or other control system (Emission Controls VPORS, VRU0a & VRU0B) at Berth's 1, 1A, 3, 6 and 8 of the loading dock at Emission Point LOADA, which must not return the vapors to any tank equipped with a floating roof tank, and must reduce the captured gasoline vapors (VOC emissions) during loading and unloading of marine vessels (ships or barges) by a minimum of 97% of the total VOC emissions to the outdoor atmosphere. In the past, the facility has demonstrated 10 mg/l VOC emission. The vapor recovery unit must capture gasoline vapors during loading and unloading of gasoline, and must condense, absorb, adsorb or combust the gasoline vapors so 97 % by weight of the captured VOC emissions from the loading or unloading of gasoline are reduced. In the past, the facility has demonstrated 10 mg/l VOC emission.

Condition #37 for 6 NYCRR 229.3(f)(2) for VOC: The facility is required to control the vapor at a minimum of 90% for marine vessel loading facilities of more than 15,000 gallons of gasoline per day.

Condition #40 for 6 NYCRR 229.5(e) for Gasoline: The facility must maintain records of the daily gasoline throughput (for marine vessel loading facilities) for a period of five (5) years.

Condition #41 for 40 CFR 63.424, Subpart R for VOC: The facility is required to perform a monthly leak inspection of all equipment in gasoline service as per 40CFR63 Subpart R. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. The facility shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere.

Condition #42 for 40 CFR 63.427(c), Subpart R for HAP: For choosing a carbon adsorption system for limiting the HAP emissions, the facility is required to install in the exhaust air stream



of the carbon adsorption unit and operate a continuous emission monitoring system (CEMS) capable of measuring organic compound concentration as per 40CFR63 Subpart R.

Condition #43 for 40 CFR 63.429, Subpart R: The facility is required to comply with the delegation of authority.

Condition #44 for 40 CFR 63.566, Subpart Y for HAP & VOC: The facility is required to comply with the NESHAP - Marine Tank Vessel loading - Construction & Reconstruction. The application shall be submitted as soon as practicable before the construction or reconstruction is planned to commence.

Condition #47 for 6 NYCRR 227-1.3: The opacity is limited to 20% from Boiler 23 (Emission Source BOL23).

Condition #48 for 6 NYCRR 227-1.3(a): Opacity is limited to 20% from any stationary combustion installation which fires liquid fuels. This condition applies to Emission Unit 1-BOIL, Emission Point 00023 for Process DIS of Boiler 23 (Emission Source BOL23).

Condition #49 for 6 NYCRR 227-2.4(d): The facility is required to conduct a boiler tune-up annually on Boiler 23 (Emission Source BOL23), which is the RACT for NOx for small boilers.

Condition #50 for 6 NYCRR 227-1.3: The opacity is limited to 20% from Boiler 25 (Emission Source BOL25).

Condition #51 for 6 NYCRR 227-1.3(a): Opacity is limited to 20% from any stationary combustion installation which fires liquid fuels. This condition applies to Emission Unit 1-BOIL, Emission Point 00025 for Process DIS of Boiler 25 (Emission Source BOL25).

Condition #52 for 6 NYCRR 227-2.4(d): The facility is required to conduct a boiler tune-up annually on Boiler 25 (Emission Source BOL25), which is the RACT for NOx for small boilers.

Condition #53 for 6 NYCRR 227.1(b)(2)(v) for VOC: The facility is required to meet the requirements of the compliance schedule in subdivision (g) of 6 NYCRR 229-1 and the control requirements of 6 NYCRR 229.3(f) for marine vessel loading facility requirements - NYC Metropolitan Area.

Condition #54 for 6 NYCRR 227.1(b)(2)(v) for VOC: The facility must be equipped with and operate a vapor control system which reduces the total VOC emissions to the outdoor atmosphere by 90% by weight for marine vessel loading facility requirements - NYC Metropolitan Area.

Condition #55 for 6 NYCRR 229.1(g)(3) for VOC: The facility must be in compliance with this part or reduce its daily throughput below the applicability criteria by November 15, 1994.



Condition #57 for 40 CFR 63.562, Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to prevent a major source of HAP from escaping HAP emissions to the atmosphere by equipping the terminal with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere.

Condition #58 for 40 CFR 63.562(a), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to prevent a major source of HAP from escaping HAP emissions to the atmosphere by the operation of marine collection system, ship to shore compatibility, vapor tightness of marine vessels, control efficiency, proper operation & monitoring during normal operations as well as startup, shutdown & malfunction apply during marine tank vessel loading operations.

Condition #59 for 40 CFR 63.562(b)(1)(i), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to comply with the vapor collection system of the terminal by equipping the terminal with a vapor collection system that is designed to collect HAP vapors displaced from marine tank vessels during marine tank vessel loading operations and to prevent HAP vapors collected at one loading berth from passing through another loading berth to the atmosphere.

Condition #60 for 40 CFR 63.562(b)(1)(ii), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to comply with the ship to shore - limit marine tank vessel loading operations to those vessels that are equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

Condition #61 for 40 CFR 63.562(b)(1)(iii), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to comply with the vapor tightness of marine vessels. The facility shall limit marine tank vessel loading operations to those vessels that are vapor tight and to those vessels that are connected to the vapor collection system.

Condition #62 for 40 CFR 63.562(b)(2), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to comply with reducing captured HAP emissions from marine tank vessel loading operations by 97 weight-per-cent, as described using methods in §63.565 (d) and (l).

Condition #63 for 40 CFR 63.562(b)(5), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to comply with the operation and maintenance plan that was developed by the source's compliance date. The facility shall keep the written operation and maintenance plan on record to be made available for inspection, upon request, by the Administrator for the life of the source. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous (i.e., superseded) versions of the plan on record to be made available for inspection upon request by the Administrator for a period of 5 years after each revision to the plan.



Condition #64 for 40 CFR 63.562(b)(6), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to prevent a major source of HAP from escaping HAP emissions to the atmosphere from regeneration of the carbon bed when using a carbon adsorber to control HAP emissions from marine tank vessel loading operations.

Maintenance allowance for loading berths. The owner or operator of a source subject to paragraph (b)(2), (3) or (4), may apply for approval to the Administrator for a maintenance allowance for loading berths based on a percent of annual throughput or annual marine tank vessel loading operation time for commodities not exempted in 40 CFR 63.560(d), Subpart Y. The owner or operator shall maintain records for all maintenance performed on the air pollution control equipment.

Condition #65 for 40 CFR 63.562(e)(1), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

Condition #66 for 40 CFR 63.562(e)(2), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The facility shall develop and implement a written operation and maintenance plan that describes in detail a program of corrective action for varying air pollution control equipment and monitoring equipment used to comply with the emissions standards. The plan shall also identify all routine or otherwise predictable continuous monitoring system.

Condition #67 for 40 CFR 63.562(e)(4), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

If the operation and maintenance plan fails to address or inadequately addresses a variance event at the time the plan was initially developed, the facility shall revise the operation and maintenance plan within 45 working days after such an event occurs. The revised plan shall include procedures for operating and maintaining the air pollution control equipment or monitoring equipment during similar variance events and a program for corrective action for such events.

Condition #68 for 40 CFR 63.562(e)(5), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to operate and maintain a source, including associated air pollution control equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.



The operation and maintenance plan shall be developed by the source's compliance date. The owner or operator shall keep the written operation or maintenance plan on record to be made available for inspection, upon request for the life of the source. In addition, if the operation and maintenance plan is revised, the owner or operator shall keep previous versions of the plan on record to be made available for inspection upon request for a period of 5 years after each revision to the plan.

Condition #69 for 40 CFR 63.562(e)(6), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to satisfy the requirements of the operation and maintenance plan, by using the source's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) plan, or other existing plans provided the alternative plans meet the requirements of this section and are made available for inspection when requested by NYSDEC.

Condition #71 for 40 CFR 63.563(a), Subpart Y for HAP & VOC: At the marine tank vessel loading, for compliance & performance testing, the facility is required to use the procedures in this condition in order to determine compliance with the emissions limits under 63.562(b)(1), (c)(2) and (d)(1). The procedures include vent stream by-pass requirements for the terminal's vapor collection system, ship-to-shore compatibility of vapor collection systems, pressure/vacuum settings for the marine tank vessel's vapor collection equipment, and vapor-tightness requirements of the marine vessel.

Since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels, but uses them, NYSDEC requires Kinder Morgan's verification that vessels (ships or barges) loading at KMSI Marine Terminal have successfully demonstrated vapor tightness during a performance test.

Conditions #72 & 73 for 40 CFR 63.563(b), Subpart Y for HAP & VOC: At the marine tank vessel loading, for compliance & performance testing, the facility is required to use the procedures outlined in this condition to determine compliance with the emissions limits under part 63.562(b), (c), and (d) for affected sources. The procedures are for initial performance test, operation and maintenance inspections, carbon adsorber, absorber, alternate control devices, and emission estimation. The previous owner of the facility (ExxonMobil) has established the initial performance test on 6/29/1999 for Unit "A" (Emission Point LOADA) and on 6/30/1999 for Unit "B" (Emission Point LOADB). The VOC outlet concentration limit is 1,200 ppm (by volume) for required percent recovery efficiency.

Condition #74 for 40 CFR 63.563(c), Subpart Y for HAP & VOC: At the marine tank vessel loading, for compliance & performance testing, the facility is required to demonstrate compliance with the emissions limits under part 63.562(b), (c), and (d) for affected sources. The facility is required to follow the procedures outlined in the condition for the leak detection and repair for vapor collection systems and control devices at the marine tank vessel loading.

Condition #75 for 40 CFR 63.564, Subpart Y for HAP & VOC: At the marine tank



vessel loading, for monitoring requirements, the facility is required to demonstrate compliance with the monitoring requirements in §63.8 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and the monitoring requirements in this section. All monitoring requirements for the vapor collection system and marine vessels. All monitoring will be conducted in compliance with this regulation by the compliance date of September 21, 1998.

Condition #76 for 40 CFR 63.564(a)(1), Subpart Y for HAP & VOC: At the marine tank vessel loading, for monitoring requirements, the facility is required to comply with the monitoring requirements in §63.8 of subpart A of this part in accordance with the provisions for applicability of subpart A to this subpart in Table 1 of §63.560 and the monitoring requirements in this section. The VOC limit is a minimum of 97% by weight.

Condition #77 for 40 CFR 63.564(a)(2), Subpart Y for HAP & VOC: At the marine tank vessel loading, for monitoring requirements, the facility is required to demonstrate compliance with the monitoring of the parameters specified in this section. All monitoring equipment shall be installed such that representative measurements of emissions or process parameters from the source are obtained. The VOC limit is a minimum of 97% by weight. The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Condition #78 for 40 CFR 63.564(a)(3), Subpart Y for HAP & VOC: At the marine tank vessel loading, for monitoring requirements, the facility is required to demonstrate compliance with the monitoring of all continuous parametric monitoring systems (CPMS) and CEMS to be in continuous operation while marine tank vessel loading operations are occurring and shall meet minimum frequency of operation requirements. Sources monitoring by use of CEMS and CPMS shall complete a minimum of one cycle of operation (sampling, analyzing, and/or data recording) for each successive 15-minute period. The VOC limit is a minimum of 97% by weight. The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Condition #79 for 40 CFR 63.564(a)(4), Subpart Y for HAP & VOC: At the marine tank vessel loading, for monitoring requirements, the facility is required to demonstrate compliance with the monitoring of a CMS installed in accordance with these emissions standards to comply with the performance specifications either in performance specification (PS) 2, 8 & 8A in 40 CFR part 60, appendix B for CEMS. (as the previous owner of this facility (Exxon Mobil Oil Corporation - Port Mobil Terminal) has chosen).

KMSI Marine Terminal shall implement a QA/QC protocol for the operation of the vapor recovery unit (VRU) continuous emission monitor (CEM) / data acquisition system (DAS). The CEMS located at the VRU shall undergo calibration checks on a daily basis using the high level (70-80 % span) gas and on a quarterly basis. The quarterly checks will follow 40 CFR 60 Appendix B; PST 2, 8 & 8A for total hydrocarbon analyzers. An annual calibration drift check will be conducted in accordance with 40 CFR 60 Appendix B; PST 2, 8 and 8A procedures as the



Reference Test Method. The VOC limit is a minimum of 97% by weight. The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Condition #80 for 40 CFR 63.564(a)(5), Subpart Y for HAP & VOC: At the marine tank vessel loading, for monitoring requirements, the facility is required to demonstrate compliance with the monitoring of a CEMS that is out of control, when the measured values exceed the limits specified in either PS 8 or in §63.8(c)(7) of subpart A of this part. The facility then shall submit all information concerning out of control periods, including start and end dates and hours and descriptions of corrective actions taken, in the excess emissions and continuous monitoring system performance report required in §63.567(e). The VOC limit is a minimum of 97% by weight. The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Condition #81 for 40 CFR 63.564(c), Subpart Y for HAP & VOC: At the marine tank vessel loading, for monitoring requirements, since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels, but uses them, NYSDEC requires Kinder Morgan's verification that the pressure vacuum/settings for the marine tank vessel's (ship's or barge's) vapor collection equipment are continuously measured and are successfully demonstrated (in compliance) during loading or each loading cycle.

For Non-Inerted Vessels, the pressure setting is between 17.00 and - 13.00 inches of water column. If the pressure setting is outside this range, the the unit will shut down.

Condition #82 for 40 CFR 63.564(c), Subpart Y for HAP & VOC: At the marine tank vessel loading, for monitoring requirements, since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels, but uses them, NYSDEC requires Kinder Morgan's verification that the pressure vacuum/settings for the marine tank vessel's (ship's or barge's) vapor collection equipment are continuously measured and are successfully demonstrated (in compliance) during loading or each loading cycle.

For Inerted Vessels, the pressure setting is between 17.00 and 0.00 inches of water column. If the pressure setting is outside this range, the the unit will shut down.

Condition #83 for 40 CFR 63.564(g), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to continuously monitor the baseline outlet VOC concentration, and maintain records of the monitoring of the baseline outlet VOC concentration. Compliance testing of VOC CEMS shall be performed using any of the following Reference Test Methods in 40 CFR 60 Appendix B: Method 25A, B and PST 2, 8 * 8A. The HAP in the gasoline has a limit of 1,000 ppm (by volume).

Condition #84 for 40 CFR 63.564(j), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility can choose to comply with alternate monitoring procedures, but it requires the Administrator's approval first. The facility is required to comply with the procedures for use



of an alternative monitoring method in §63.8(f).

Condition #85 for 40 CFR 63.565(a), Subpart Y for HAP & VOC: Since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels (ship's or barge's), but uses them, NYSDEC requires Kinder Morgan's verification that the test methods & procedures at the marine tank vessel loading are in compliance with the pressure/vacuum settings of marine tank vessel's vapor collection equipment in §63.7 of Subpart A of this part in Table 1 of §63.560.

Condition #86 for 40 CFR 63.565(b), Subpart Y for HAP & VOC: Since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels (ship's or barge's), but uses them, NYSDEC requires Kinder Morgan's verification that the test methods & procedures for the pressure/vacuum settings for the marine tank vessel's (ship's or barge's) loading vapor collection equipment are continuously calibrated, measured, recorded and are successfully demonstrated (to be in compliance) during each loading cycle.

Condition #87 for 40 CFR 63.565(d), Subpart Y for HAP & VOC: Since Kinder Morgan Staten Island's Marine Terminal does not own or operate the marine tank vessels (ship's or barge's), but uses them, NYSDEC requires Kinder Morgan's verification that the test methods & procedures at the marine tank vessel loading are in compliance with the procedures used for combustion (except flare) and recovery control device performance test procedures.

Condition #88 for 40 CFR 63.565(g), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to comply with the test methods & procedures to monitor the baseline outlet VOC concentration from the carbon adsorber during the loading and unloading of marine vessels (ships or barges) at Berth's 1, 1A, 3, 6 and 8 of the loading dock at Emission Point LOADB, and to monitor the VOC concentration using Method 25A. The VOC concentration shall be measured at least every 15 minutes.

Condition #89 for 40 CFR 63.565(i), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to comply with the test methods & procedures for calculating annual HAP emissions estimation, excluding commodities exempted by §63.560(d), from marine tank vessel loading operations. Emission estimates and emission factors shall be based on test data, or if test data is not available, shall be based on measurement or estimating techniques generally accepted in industry practice for operating conditions at the source.

Condition #90 for 6 NYCRR 229.1(g) for VOC: For compliance schedule at the marine tank vessel loading, the facility is required to maintain the VOC control requirements included in any existing permit, regulation, rule, administrative order, or any judicial order until compliance with the provisions of this Part is demonstrated to the satisfaction of the commissioner.

Condition #93 for 6 NYCRR 229.3(d)(1) for VOC: The facility has chosen a vapor recovery unit that has a carbon adsorption/absorption system. The marine vapor recovery unit is regulated by 40 CFR 63 Subpart Y. The MACT portion of this regulation requires that the vapor recovery



units meet 97% recovery efficiency as stated in 40 CFR 63.562(b)(2): MACT standard shall reduce captured HAP emission from marine tank vessel loading operations by 97 weight percent.

The gasoline vapor collection and control systems at the marine tank vessel loading/unloading, is required to capture gasoline vapors during loading and unloading of marine vessels (ships or barges) at Berth's 1, 1A, 3, 6 and 8 of the loading dock at Emission Point LOADB and Emission Control VPORS. The vapor recovery unit must capture gasoline vapors during loading and unloading of gasoline, and must condense, absorb, adsorb or combust the gasoline vapors so 97 % by weight of the captured VOC emissions form the loading or unloading of gasoline are reduced.

Condition #94 for 40 CFR 63.564(g), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to continuously monitor the baseline outlet VOC concentration from the carbon adsorber at Emission Point LOADA (Berth's 1, 1A, 3 and 6) and Emission Control VRU0A, and to monitor the VOC concentration using Method 25A. The VOC concentration from the gasoline shall be measured at least every 15 minutes and cannot exceed 8,139 ppm (by volume). The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Condition #95 for 40 CFR 63.564(g), Subpart Y for HAP & VOC: At the marine tank vessel loading, the facility is required to continuously monitor the baseline outlet VOC concentration from the carbon adsorber at Emission Point LOADA (Berth's 1, 1A, 3 and 6) and Emission Control VRU0B, and to monitor the VOC concentration using Method 25A. The VOC concentration from the gasoline shall be measured at least every 15 minutes and cannot exceed 5,154 ppm (by volume). The analyzer monitors VOC concentrations only. All HAP emissions are speciated from the VOC based on AP-42 factors.

Condition #96 for 6 NYCRR 229.1(b)(1)(i) for VOC: The facility is required to comply with the existing requirements NYCMA petroleum liquid fixed roof tanks. This requires any petroleum liquid fixed roof tank with a capacity of 40,000 gallons or more located at facilities in the New York City metropolitan area, which emit VOC to have the tank be retrofitted with an internal floating roof or equivalent control, and to maintain and operate the vapor control systems in such a way as to ensure the integrity and efficiency of the system by October 1, 1982.

Condition #97 for 6 NYCRR 229.3(a) for VOC: The facility is required to keep records of the control requirements for petroleum storage vessels in a fixed roof tank, with a fixed roof in combination with an internal roof, and with a fixed roof in combination with an internal floating roof.

Condition #98 for 6 NYCRR 229.3(a): For petroleum liquid fixed roof storage tanks, the facility is required to keep records of the control requirements for petroleum storage vessels in a



fixed roof tank, with a fixed roof in combination with an internal roof, and with a fixed roof in combination with an internal floating roof.

Condition #99 for 6 NYCRR 229.5(a) for VOC: The facility is required to keep a record 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.

Condition #100 for 40 CFR 60.112b(a), NSPS Subpart Kb for VOC: For the storage tanks, the facility is required to equip the petroleum liquid storage vessels with fixed roof and must have internal floating roofs which meet the design criteria of the section 40 CFR 60-Kb.112b.

Condition #101 for 40 CFR 63.423, Subpart R for VOC: For the storage tanks, the facility is required to comply with standard storage vessels requirements with a fixed roof in combination with an internal floating roof, and with an external floating roof tank.

Condition #102 for 40 CFR 63.428, Subpart R for HAP: For reporting and record keeping requirements, for the storage tanks, as per 40 CFR63 Subpart R, the facility is required to maintain records of leak detection and repair program, all tank inspections, up to date records of all continuous monitoring data, all data and calculations used to monitor the loading rack control device and demonstrate continuous compliance, and records of all test results at the loading rack.

New York State Department of Environmental Conservation



Permit ID: 2-6405-00073/00060

Permit Review Report
Renewal Number: 1

03/24/2009