New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 9-1464-00090/00065 Renewal Number: 1 **02/26/2007**

Facility Identification Data
Name: NOCO ENERGY CORP
Address: 700 GRAND ISLAND BLVD
TONAWANDA, NY 14150

Owner/Firm
Name: NOCO ENERGY CORP
Address: 2440 SHERIDAN DR
TONAWANDA, NY 14150, USA
Owner Classification: Corporation/Partnership

Permit Contacts
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Permit Description

Introduction

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

Summary Description of Proposed Project
Title V Renewal Permit

Attainment Status
NOCO ENERGY CORP is located in the town of TONAWANDA in the county of ERIE.

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 < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MARGINAL NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.
** NOx has a separate ambient air quality standard in addition to being an ozone precursor

Facility Description
NOCO Energy, located at 700 Grand Island Blvd in the Town of Tonawanda, New York is a petroleum and chemical bulk storage terminal. This facility stores and distributes liquid petroleum and products containing regulated air pollutants. It also collects, blends and markets waste oil.

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

OPERATIONAL FLEXIBILITY PLAN:

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

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

1. When a supplier requests a product containing regulated air pollutants change for the tanks listed above, the facility must obtain an MSDS that specifies the vapor pressure and weight percent of the components of the product containing regulated air pollutants from the supplier.

2. The proposed product containing regulated air pollutants must have a vapor pressure at standard conditions of less than 1.0 psia.

3. The proposed product containing regulated air pollutants will comply with any applicable Part 212 requirements.

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

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

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

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

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

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

from the facility Title V Permit, as the bio-cell has been closed).

Permit Structure and Description of Operations

The Title V permit for NOCO ENERGY CORP 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.

NOCO ENERGY CORP is defined by the following emission unit(s):
Emission unit 1CMBST - This unit consists of an emission point for which a facility wide emission cap was obtained to avoid PSD requirements, and eleven (11) exempt sources. Included in the eleven (11) exempt sources are the two hot oil heaters that were installed as part of the asphalt rail unloading. All sources in unit 1-Cmbst can burn reprocessed waste oil/waste oil, no 6 fuel oil, natural gas, no 2 fuel oil and kerosene and bio-fuels.
It is further defined by the following process(es):
Process: GASEMISSIONS FROM THE COMBUSTION OF NATURAL GAS.
Process: NO2EMISSIONS FROM THE COMBUSTION OF NO 2 FUEL OIL.
Process: NO6EMISSIONS FROM THE COMBUSTION OF NO 6 FUEL OIL.
Process: WOLEMISSIONS FROM THE COMBUSTION OF REPROCESSED WASTE OIL/ WASTE OIL.

Emission unit 1RACKS - Six (6) loading racks are utilized to load various products including gasoline, aviation gasoline, kerosene, jet a fuel oils, liquid asphalt, ethanol, nonene, reprocessed waste oils/waste oils and various chemicals covered by the operational flexibility protocol in attachment 4. Five (5) of the loading racks load trucks, and one (1) of the loading racks is a rail car loading rack. The identity of products handled by each loading rack is reflected in the process information descriptions in this unit.

It is further defined by the following process(es):
Process: L1CLOADING RACK 1 (LR020) BOTTOM LOADS THREE PRODUCTS (GASOLINE, AVIATION GASOLINE, AND ETHANOL) INTO TRUCKS. THESE VAPORS ARE COLLECTED IN A VAPOR RECOVERY UNIT. THE VAPOR RECOVERY UNIT IS OPERATED ACCORDING TO THE VRU COMPLIANCE MONITORING PLAN.
Process: L1FFUGITIVE EMISSIONS FROM LEAKS THROUGH THE TRUCK VALVES DURING LOADING OF PRODUCTS AT LOADING RACK 1 (LR020) WHILE THE VAPOR RECOVERY UNIT IS IN USE.
Process: L1ULOADING RACK 1 (LR020) CURRENTLY BOTTOM LOADS TWO (2) PRODUCTS (JET A AND 3,4 DICHLOROBENZOTRIFLUORIDE OR 3,4 PARACHLOROBENZOTRIFLUORIDE) INTO TRUCKS WITHOUT VAPOR COLLECTION. ANY CHANGES IN CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL.
Process: L2ULOADING RACK 2 (LR010) TOP AND BOTTOM LOADS FIVE (5) PRODUCTS (JET A, ETHANOL, LOW SULFUR NO 2 FUEL OIL, HIGH SULFUR NO 2 FUEL OIL, AND KEROSENE) INTO TRUCKS.
Process: L3ULOADING RACK 3 (LR030) CURRENTLY TOP LOADS FOUR (4) PRODUCTS (REPROCESSED WASTE OIL/WASTE OIL, NO 6 FUEL OIL, LIQUID ASPHALT, AND MONOCHLOROTOLUENE) INTO TRUCKS. ANY CHANGES IN THE CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL.
Process: L4ULOADING RACK 4 (LR040) CURRENTLY TOP LOADS TWO (2) PRODUCTS (MONOCHLOROTOLUENE AND NONENE) INTO RAILCARS. ANY CHANGES IN THE CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL.
Process: L5ULOADING RACK 5 (LR050) TOP LOADS MOTOR OILS INTO TRUCKS.
Process: L6ULOADING RACK 6 (LR060) TOP LOADS REPROCESSED WASTE OIL/WASTE OIL INTO TRUCKS.
Process: VRUFUGITIVE EMISSIONS RESULTING FROM LOSSES FROM THE VAPOR RECOVERY UNIT.

Emission unit 1TANKS - Eight (8) vertical storage tanks of different volumes. All tanks have sealed, internal floating roofs, and store gasoline, aviation gasoline, ethanol or other liquid products with a vapor pressure greater than 1.5 psia. The tanks are covered by the operational flexibility protocol. Tank OT101 was removed from the 2-Tanks and added to the 1-Tanks. An internal floating roof was installed in compliance with 1-Tanks requirements. Tank OT101 is also covered by the operational flexibility protocol.
It is further defined by the following process(es):
Process: FGLMISCELLANEOUS FUGITIVE HAP AND VOC EMISSIONS FROM VALVE, PUMP, AND FLANGE LEAKAGE.
Process: LL1LOADING LOSSES FROM FIVE (5) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL FLOATING ROOF, AND HOLDS EITHER GASOLINE OR AVIATION GASOLINE. THE INTERNAL FLOATING ROOFS ON THESE FIVE TANKS ARE OF STEEL CONSTRUCTION AND WERE INSTALLED AT VARIOUS TIMES. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.
Process: LL2LOADING LOSSES FROM ONE (1) STORAGE TANK. THE TANK IS GREATER

THAN 40,000 GALLONS, HAS A SEALED INTERNAL ROOF, AND HOLDS EITHER GASOLINE, AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOF ON THIS TANK IS CONSTRUCTED OF ALUMINUM.
Process: SL1STANDING LOSSES FROM FIVE (5) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL FLOATING ROOF, AND HOLDS EITHER GASOLINE OR AVIATION GASOLINE. THE INTERNAL FLOATING ROOFS ON THESE SIX TANKS ARE OF STEEL CONSTRUCTION AND WERE INSTALLED AT VARIOUS TIMES. ALL TANKS ARE SUBJECT TO THE OPERATIONAL FLEXIBILITY PLAN IN ATTACHMENT 4.
Process: SL2STANDING LOSSES FROM ONE (1) STORAGE TANK. THE TANK IS GREATER THAN 40,000 GALLONS, HAS A SEALED INTERNAL ROOF, AND HOLDS EITHER GASOLINE, AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOAT ING ROOF ON THIS TANK IS CONSTRUCTED OF ALUMINUM.

Emission unit 2TANKS - Twenty-two (22) storage tanks of different volumes are used to store liquid asphalt, fuel oil, reprocessed waste oil/waste oil or various chemical products of low vapor pressure. Each tank has a fixed roof. All tanks are covered by the operational flexibility protocol.
It is further defined by the following process(es):
Process: LL3LOADING LOSSES FROM THE STORAGE OF LIQUID ASPHALT, REPROCESSED WASTE OIL/WASTE OIL, OR DISTILLATE FUEL.
Process: SL3STANDING LOSSES FROM THE STORAGE OF LIQUID ASPHALT, REPROCESSED WASTE OIL/WASTE OIL, OR FUEL OIL .

Emission unit 3TANKS - Thirteen (13) storage tanks of different volumes are used to store volatile organic liquids with a vapor pressure less than 6.8 psia. All tanks in this unit are subject to dimension/capacity record keeping requirements under 40 CFR Part 60 Subpart Kb. These tanks are also covered by the operational flexibility protocol.
It is further defined by the following process(es):
Process: LL4LOADING LOSSES FROM TEN (10) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 20000 GALLONS AND HOLD REPROCESSED WASTE OIL/WASTE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA.
Process: LL5LOADING LOSSES FROM THREE (3) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 30000 GALLONS AND HOLD DISTILLATE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. THESE TANKS ALSO ARE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL WHEN NOT STORING DISTILLATE OIL.
Process: SL4STANDING STORAGE LOSSES FROM TEN (10) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 20000 GALLONS AND HOLD REPROCESSED WASTE OIL/WASTE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA.
Process: SL5STANDING STORAGE LOSSES FROM THREE (3) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 30000 GALLONS AND HOLD DISTILLATE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. THESE TANKS ARE SUBJECT TO THE OPERATIONAL FLEXIBILITY PLAN WHEN NOT STORING DISTILLATE OIL.

Title V/Major Source Status
NOCO ENERGY CORP is subject to Title V requirements. This determination is based on the following information:
This facility is a major facility due to the fact that the annual VOC emissions are greater than 50 tons per year.

This facility has accepted federally-enforceable SO2 emissions limitations and therefore is not subject to PSD requirements of 40 CFR Part 52.21.

Program Applicability
The following chart summarizes the applicability of NOCO ENERGY CORP with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

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

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

Standards (NAAQS) for specified pollutants.

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

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

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

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

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

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

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

Compliance Status

Facility is in compliance with all requirements

SIC Codes

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

SIC Code	Description
4226	SPECIAL WAREHOUSING & STORAGE
5171	PETROLEUM BULK STATIONS & TERMINALS

SCC Codes

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

SCC Code	Description
4-04-001-79	BULK TERMINALS/PLANTS BULK TERMINALS BULK TERMINAL:INTERNAL FLOATING ROOF(PRI/SEC SEAL):SPECIFY LIQUID
4-04-001-50	BULK TERMINALS/PLANTS BULK TERMINALS BULK TERMINALS:MISCELLANEOUS LOSSES/LEAKS:LOADING RACKS
4-04-001-60	BULK TERMINALS/PLANTS BULK TERMINALS INTERNAL FLOAT ROOF W/ PRIMARY SEAL-SPECIFY LIQUID:STANDING LOSS
4-04-001-54	BULK TERMINALS/PLANTS BULK TERMINALS Tank Truck Vapor Leaks
4-04-001-51	BULK TERMINALS/PLANTS BULK TERMINALS Valves, Flanges, and Pumps
4-04-001-53	BULK TERMINALS/PLANTS BULK TERMINALS Vapor Control Unit Losses
1-03-013-02	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL INSTITUTIONAL BOILER - LIQUID WASTE Waste Oil
1-03-005-01	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-03-006-03	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL

	COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS Less Than 10 MMBtu/Hr
1-03-004-01	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - RESIDUAL OIL Grade 6 Oil
3-05-002-12	MINERAL PRODUCTS MINERAL PRODUCTS - ASPHALT CONCRETE IND PROCESS:MINERAL PROD:ASPHALT:HEATED ASPHALT STORAGE TANKS-DRUM MIX
4-07-146-98	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - FIXED ROOF TANKS - MISCELLANEOUS FIXED ROOF TANK:MISCELLANEOUS:SPECIFY IN COMMENTS: WORKING LOSS
4-07-146-97	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - FIXED ROOF TANKS - MISCELLANEOUS FIXED ROOF TANKS:MISCELLANEOUS:SPECIFY IN COMMENTS:BREATHING LOSS

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Series code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant , including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount 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	PTE Range
000071-43-2	BENZENE(HAP)	19990	
000098-82-8	BENZENE, (1-METHYLETHYL)(HAP)	19990	
000630-08-0	CARBON MONOXIDE		> 0 but < 2.5 tpy
000100-41-4	ETHYLBENZENE(HAP)	19990	
0NY100-00-0	HAP	49990	
000110-54-3	HEXANE(HAP)	19990	
007439-92-1	LEAD(HAP)		> 0 but < 10 tpy

001634-04-4	METHYL TERTBUTYL ETHER(HAP)	19990	
000091-20-3	NAPHTHALENE(HAP)	19990	
0NY210-00-0	OXIDES OF NITROGEN		>= 10 tpy but < 25 tpy
0NY075-00-0	PARTICULATES		>= 2.5 tpy but < 10 tpy
0NY075-00-5	PM-10		>= 2.5 tpy but < 10 tpy
007446-09-5	SULFUR DIOXIDE	199577	
000108-88-3	TOLUENE(HAP)	19990	
0NY998-00-0	VOC		>= 100 tpy but < 250 tpy
001330-20-7	XYLENE, M, O & P MIXT.(HAP)	19990	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

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

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

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

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

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

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

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

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

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

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

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

Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: **Federally Enforceable Requirements - 40 CFR 70.6(b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.
NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Short Description	Condition
FACILITY	ECL 19-0301	Powers and Duties of the Department with respect to air pollution control	58

FACILITY	40CFR 52-A	Prevention of Significant Deterioration	28
3-TANKS	40CFR 60-Kb.116b(b)	NSPS for volatile organic liquid storage vessels-monitoring of operations	57
FACILITY	40CFR 63-R.420(a)(2)		27, 29, 30, 31
1-RACKS	40CFR 64	COMPLIANCE ASSURANCE MONITORING	55
FACILITY	40CFR 68	Chemical accident prevention provisions	21
FACILITY	40CFR 82-F	Protection of Stratospheric Ozone - recycling and emissions reduction	22
FACILITY	6NYCRR 200.6	Acceptable ambient air quality.	1
FACILITY	6NYCRR 200.7	Maintenance of equipment.	10
FACILITY	6NYCRR 201-1.4	Unavoidable noncompliance and violations	59
FACILITY	6NYCRR 201-1.7	Recycling and Salvage	11
FACILITY	6NYCRR 201-1.8	Prohibition of reintroduction of collected contaminants to the air	12
FACILITY	6NYCRR 201-3.2(a)	Exempt Activities - Proof of eligibility	13
FACILITY	6NYCRR 201-3.3(a)	Trivial Activities - proof of eligibility	14
FACILITY	6NYCRR 201-6	Title V Permits and the Associated Permit Conditions	23, 40
FACILITY	6NYCRR 201-6.5(a)(4)	General conditions	15
FACILITY	6NYCRR 201-6.5(a)(7)	General conditions	
Fees 2			
FACILITY	6NYCRR 201-6.5(a)(8)	General conditions	16
FACILITY	6NYCRR 201-6.5(c)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	3
FACILITY	6NYCRR 201-6.5(c)(2)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	4
FACILITY	6NYCRR 201-6.5(c)(3)(ii)	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring	5
FACILITY	6NYCRR 201-6.5(d)(5)	Compliance schedules	17
FACILITY	6NYCRR 201-6.5(e)	Compliance Certification	6
FACILITY	6NYCRR 201-6.5(f)	Operational flexibility	24
FACILITY	6NYCRR 201-6.5(f)(6)	Off Permit Changes	18
FACILITY	6NYCRR 201-6.5(g)	Permit shield	25
FACILITY	6NYCRR 201-7.1	Federally Enforceable Emissions Caps	26, 27, 28, 29, 30, 31
FACILITY	6NYCRR 202-1.1	Required emissions tests.	19
FACILITY	6NYCRR 202-2.1	Emission Statements - Applicability	7
FACILITY	6NYCRR 202-2.5	Emission Statements - record keeping requirements.	8
FACILITY	6NYCRR 211.2	General Prohibitions -	60, 61

		air pollution prohibited.	
FACILITY	6NYCRR 211.3	General Prohibitions - visible emissions limited	20
1-RACKS	6NYCRR 212.4(a)	General Process Emission Sources - emissions from new sources and/or modifications	42
FACILITY	6NYCRR 215	Open Fires	9
FACILITY	6NYCRR 225-1.2(a)(2)	Sulfur in Fuel Limitations Post 12/31/87.	32, 33
FACILITY	6NYCRR 225-1.8(b)	Reports, sampling and analysis.	34
FACILITY	6NYCRR 225-1.8(d)	Reports, sampling, and analysis	35
FACILITY	6NYCRR 225-3.3(a)	RVP Limitation - May 1st through September 15th	36
FACILITY	6NYCRR 225-3.4(a)	Gasoline records to be maintained	62
FACILITY	6NYCRR 225-3.4(b)	Records to be provided with distributed gasoline	63
FACILITY	6NYCRR 225-3.4(d)	Maintenance and availability of gasoline records	64
1-CMBST	6NYCRR 227-1.3(a)	Smoke Emission Limitations.	41
FACILITY	6NYCRR 229.3(a)	Petroleum fixed roof tank control requirements	37
1-RACKS	6NYCRR 229.3(d)	Gasoline loading terminals	43
FACILITY	6NYCRR 229.4(a)	Testing and monitoring	38
1-TANKS	6NYCRR 229.5(a)	Recordkeeping - petroleum liquid fixed roof storage tanks	56
FACILITY	6NYCRR 229.5(c)	Recordkeeping - gasoline loading terminals	39
1-RACKS	6NYCRR 230.2(a)(1)	Stage I	44
1-RACKS	6NYCRR 230.2(f)	Requirements	45
1-RACKS	6NYCRR 230.4(a)(1)	Gasoline transport vehicles - prohibitions and requirements.	46
1-RACKS	6NYCRR 230.4(a)(2)	Gasoline transport vehicles - prohibitions and requirements.	47
1-RACKS	6NYCRR 230.4(a)(3)	Gasoline transport vehicles - prohibitions and requirements.	48
1-RACKS	6NYCRR 230.4(b)	Gasoline transport vehicles - prohibitions and requirements.	49
1-RACKS	6NYCRR 230.4(e)	Gasoline transport vehicles - prohibitions and requirements.	50
1-RACKS	6NYCRR 230.4(f)	Gasoline transport vehicles - prohibitions and requirements.	51
1-RACKS	6NYCRR 230.4(g)	Gasoline transport vehicles - prohibitions and requirements.	52
1-RACKS	6NYCRR 230.6(a)	Gasoline transport	53

		vehicles - recordkeeping and reporting.	
1-RACKS	6NYCRR 230.6(b)	Gasoline transport vehicles - recordkeeping and reporting.	54

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 there 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, NOCO ENERGY CORP has been determined to be subject to the following regulations:

40CFR 52-A
This is PSD.

40CFR 60-Kb.116b (b)
Owners or operators of affected storage tanks with capacities greater than or equal to 10,000 gallons must keep records of the tanks dimensions and an analysis of its capacity for the life of the tank. If the tank's capacity is less than 20,000 gallons, then it is subject to no other provisions of this subpart.

40CFR 63-R.420 (a) (2)
This subdivision of the Gasoline Distribution MACT exempts non-major sources of hazardous air pollutants from the regulation.

40CFR 64
The federal Compliance Assurance Monitoring (CAM) rule, 40 CFR Part 64, requires monitoring of control device, capture system, and/or process parameters to provide a reasonable assurance of compliance with emission limitations or standards. It applies to emission units that use a control device to comply with certain standards and limitations and that have potential pre-control device emissions equal to or greater than a major source threshold.

Acid Rain program requirements; stratospheric ozone protection requirements; post-1990 New Source Performance Standards, Emission Guidelines, and National Emission Standards for Hazardous Air Pollutants; and some other limitations are exempt from CAM. However, many of the exempt requirements are subject to less stringent periodic monitoring under 40 CFR Part 70 and 6NYCRR Subpart 201-6.

6NYCRR 201-6.5 (f)
This regulation defines in general terms under what circumstances changes would be allowed without a permit modification provided the permit contains sufficient operational flexibility provisions.

6NYCRR 201-7.1
This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit:

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

The facility shall not exceed an individual HAP emission of 10 tons in any consecutive 12 month period,

The facility shall not exceed a total HAP emission of 25 tons in any consecutive 12 month period,

The facility shall not exceed a gasoline and/or ethanol throughput of 300,000,000 gallons per year in any

consecutive 12 month period, and

The facility shall not exceed a distillate throughput of 265,000,000 gallons per year in any consecutive 12 month period.

6NYCRR 212 .4 (a)
This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for new (after July 1, 1973) process emission sources.

6NYCRR 225-1.2 (a) (2)
This regulation prohibits any person from selling, offering for sale, purchasing or using any fuel which contains sulfur in a quantity exceeding the limitations set forth in Table 1, Table 2, or Table 3 of this section.

6NYCRR 225-1.8 (b)
Upon request the owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of three years.

6NYCRR 225-1.8 (d)
This requires that sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the commissioner.

6NYCRR 225-3.3 (a)
No person shall sell or supply a gasoline to a retailer or wholesale purchaser-consumer, having a Reid vapor pressure greater than 9.0 pounds per square inch (psi) as sampled and tested by methods acceptable to the commissioner, during the period May 1st through September 15th of each year beginning 1989.

6NYCRR 225-3.4 (a)
This regulation specifies the records that must be maintained for the gasoline that is being delivered to or distributed from an applicable facility. The records include: the RVP of the gasoline (if subject to the RVP limitations of 225-3.3); a designation of the appropriate time period(s) the gasoline is to be dispensed to motor vehicles; and a written certification that the gasoline conforms with the RVP and oxygen requirements and is in compliance with applicable federal and state regulations.

6NYCRR 225-3.4 (b)
This regulation specifies the records to be kept with the gasoline which is distributed from facilities. The records include the following:
(1) A copy of the written certification of conformance and compliance;
(2) Documentation of the maximum RVP of the gasoline if subject to the RVP limitations of section 225-3.3;
(3) Designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.

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

6NYCRR 225-3.4 (d)
This regulation specifies that any gasoline records tobe kept must be made available for inspection during normal business hours, at the location from which the gasoline was delivered, sold, or dispensed, to the commissioner or his or her representative and copies furnished to department representatives. In addition, all required documentation is to be maintained for at least two years from date of delivery.

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 229 .3 (a)
This subdivision contains the control requirements for petroleum fixed roof tanks.

6NYCRR 229 .3 (d)
This rule contains the emission limits and operating requirements for gasoline loading terminals (i.e. thiose facilities with an average daily throughput of gasoline greater than 20,000 gallons).

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

6NYCRR 230 .2 (a) (1)
This provision requires the gasoline storage tank to be equipped with vapory recovery equipment between the tank and truck.

6NYCRR 230 .2 (f)
Owners and/or operators of gasoline storage tanks, vehicles, and dispensing stations required to install stage 1 and/or stage 2 vapor recovery equipment must meet these provisions. The provisions include training , correct operation, replacement, and repair of personnel and equipment.

6NYCRR 230 .4 (a) (1)
Transport vehicle must be able to sustain the specified pressure change during loading and unloading of gasoline.

6NYCRR 230 .4 (a) (2)
Gasoline transport vehicles that fail the ability to sustain the specified pressure change in 230.4(a)(1) must be repaired within 15 days.

6NYCRR 230 .4 (a) (3)
The gasoline transport vehicle must display "NYSDEC" and the date of passing pressure-vacuum test using 2" letters/numbers and located near the US DOT certificate plate.

6NYCRR 230 .4 (b)
Gasoline Transport vehicles must be pressure-vacuum tested annually using an acceptable method to insure vapor tight integrity. USEPA has published Method 27.

6NYCRR 230 .4 (e)
Conditions under this rule citation specify the limits on leakage from the gasoline transport vehicle and vapor collection and control system during loading or unloading.

6NYCRR 230 .4 (f)
Gasoline transport vehicles must be loaded in accordance to the pressures in the regulation to insure vapor tight integerity.

6NYCRR 230 .4 (g)
Dome covers on gasoline transport vehicles must be closed while vehicle is being loaded, unloaded or in motion.

6NYCRR 230 .6 (a)
Owner of any gasoline transport vehicle must maintain records of pressure-vacuum testing and repairs. This rule specifies the types of records.

6NYCRR 230 .6 (b)
A copy of the most recent pressure-vacuum test repairs must be kept with the transport vehicle. By contrast, the records required by 230.6(a) are NOT required to be kept in the vehicle.

Compliance Certification
Summary of monitoring activities at NOCO ENERGY CORP:

Location Facility/EU/EP/Process/ES	Type of Monitoring	Cond No.
3-TANKS	record keeping/maintenance procedures	57
1-RACKS	record keeping/maintenance procedures	55
FACILITY	record keeping/maintenance procedures	5
FACILITY	record keeping/maintenance procedures	6
FACILITY	record keeping/maintenance procedures	24
FACILITY	work practice involving specific operations	27
FACILITY	work practice involving specific operations	28
FACILITY	work practice involving specific operations	29

FACILITY	work practice involving specific operations	30
FACILITY	work practice involving specific operations	31
FACILITY	record keeping/maintenance procedures	7
FACILITY	work practice involving specific operations	61
FACILITY	work practice involving specific operations	32
FACILITY	work practice involving specific operations	33
FACILITY	record keeping/maintenance procedures	34
FACILITY	work practice involving specific operations	36
FACILITY	record keeping/maintenance procedures	62
FACILITY	record keeping/maintenance procedures	63
1-CMBST	monitoring of process or control device parameters as surrogate	41
1-TANKS	record keeping/maintenance procedures	56
FACILITY	record keeping/maintenance procedures	39
1-RACKS	monitoring of process or control device parameters as surrogate	46
1-RACKS	intermittent emission testing	49
1-RACKS	monitoring of process or control device parameters as surrogate	51
1-RACKS	record keeping/maintenance procedures	53
1-RACKS	record keeping/maintenance procedures	54

Basis for Monitoring

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

The facility will not exceed 100 tons/year of Sulfur Dioxide (SO2) emissions in any consecutive rolling 12-month period.

The facility shall not exceed an individual HAP emission of 10 tons per 12 month consecutive period.

The facility shall not exceed a total HAPemission of 25 tons per 12 month consecutive period.

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

The facility shall not exceed a distillate throughput of 265,000,000 gallons per year in any consecutive 12 month period.

Gasoline and distillate oil vapors from tank trucks are collected and controlled with a Vapor Recovery Unit (VRU). Volatile Organic Compounds (VOC) emissions are controlled by a John Zink (model S3-AAD-3-90-80-8) VRU. The VRU is guaranteed by the manufacturer to have a VOC emission control rate of 35 milligrams per liter or less of gasoline/liquid product loaded.
There is a compliance assurance monitoring (CAM) plan in the renewal permit for the VRU