

Facility DEC ID: 9146400090

**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 9-1464-00090/00065  
Effective Date: 08/27/2015 Expiration Date: 08/26/2020

Permit Issued To: Marathon Petroleum Company LP  
CT Corporation System  
28 Liberty Street  
New York, NY 10005

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

**Description:**

This facility has sixty-eight (68) storage tanks of various capacity and stored material. There are eight (8) vertical storage tanks which store gasoline, aviation gasoline, ethanol, or other liquid products with a vapor pressure greater than 1.5 psia. All eight (8) tanks are equipped with sealed internal floating roofs. Twenty-two (22) tanks store liquid asphalt, fuel oil, reprocessed waste oil, or various products containing regulated air pollutants of low vapor pressure, six (6) of these tanks will be designated for liquid asphalt and are connected to a vapor collection and control system that routes vapors from each liquid asphalt tank through an individual tank carbon adsorption system. 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.

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

4. The change in the facility's total Hazardous Air Pollutant (HAP) and individual HAP emissions must be evaluated.

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

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

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

NOCO utilizes combustion units to heat tanks and pipelines for easy movement of heavy products such as asphalt, residual oils and waste oils. The combustion units also provide space heat for office buildings. This facility has accepted federally-enforceable SO<sub>2</sub> 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 6 emission units. Emission unit "1-Tanks" includes eight gasoline storage tanks with internal floating roofs. "2-Tanks" encompasses sixteen storage tanks capable of storing 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. "4-Tanks" is for the six storage tanks which will store liquid asphalt and fuel oil, reprocessed waste oil, or various products. 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 SO<sub>2</sub> 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).

In this permit, there is a schedule for NOCO Energy Corp to install, operate and maintain a vapor collection and control system that routes vapors from each asphalt storage tank through a carbon adsorption system.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: LISA M CZECHOWICZ  
NYSDEC - REGION 9  
270 MICHIGAN AVE  
BUFFALO, NY 14203-2915

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Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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**DEC GENERAL CONDITIONS**

\*\*\*\* General Provisions \*\*\*\*

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

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department****Applicable State Requirement: ECL 19-0305****Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations****Applicable State Requirement: ECL 3-0301 (2) (m)****Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers****Applicable State Requirement: 6 NYCRR 621.11****Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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

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submitted prior to actual transfer of ownership.

**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal-REGION 9**  
**HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 9 Headquarters  
Division of Environmental Permits  
270 Michigan Avenue  
Buffalo, NY 14203-2915

(716) 85

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**DEC SPECIAL CONDITIONS**

1-7165

**Condition 6: Procedure for Heating Tank Cars**

**Applicable State Requirement: 6 NYCRR Part 621**

**Item 6.1:**

The permittee shall adhere to the Procedure for Heating Tank Cars contained in the Facility Procedure Binder maintained by the Terminal Manager. This procedure shall ensure that only rail tank cars containing viscous petroleum products are heated. A copy of the procedure shall be made available to DEC staff upon request and during on-site inspections.



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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CT Corporation System  
28 Liberty Street  
New York, NY 10005

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

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

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- 38 43 6 NYCRR 229.4 (a): Testing and monitoring requirements
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- 39 45 40CFR 63.11092(b)(1)(i)(B'), NESHAP Subpart BBBB: Compliance Certification
- 41 46 40CFR 63.11093, Subpart BBBB: Notifications (63.11093 a-d)
- 41 47 40CFR 63.11094(b), Subpart BBBB: Compliance Certification
- 42 48 40CFR 63.11094(d), Subpart BBBB: Compliance Certification
- 43 49 40CFR 63.11094(e), Subpart BBBB: Compliance Certification
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- 47 53 40CFR 63, Subpart JJJJ: Compliance and Enforcement
- 47 **Emission Unit Level**
- 47 54 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=1-CMBST**

- 60 55 6 NYCRR 227-1.3 (a): Compliance Certification
- 61 56 40CFR 63.11194(b), Subpart JJJJ: Existing source

**EU=1-RACKS**

- 61 57 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications
- 61 58 6 NYCRR 229.3 (d): Compliance Certification
- 62 59 6 NYCRR 230.2 (a) (1): No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.
- 62 60 6 NYCRR 230.2 (f): Requirements for gasoline transport vehicles delivering to Stage I controlled dispensing sites.
- 63 61 6 NYCRR 230.4 (a) (1): Compliance Certification
- 64 62 6 NYCRR 230.4 (a) (2): Repairs to gasoline transport vehicles
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- 66 68 6 NYCRR 230.6 (a): Compliance Certification
- 67 69 6 NYCRR 230.6 (b): Compliance Certification
- 67 70 40CFR 63.11083(b), Subpart BBBB: Compliance date for an existing affected source
- 67 71 40CFR 63.11088, Subpart BBBB: Compliance Certification
- 68 72 40CFR 63.11092(a), Subpart BBBB: Compliance Certification
- 69 73 40CFR 63.11092(a)(2), Subpart BBBB: Waiver of new performance test requirement by complying with state rule
- 69 74 40CFR 63.11092(a)(3), Subpart BBBB: Waiver of new testing requirement due to previous test conducted within 5 prior year period
- 70 75 40CFR 63.11092(d), Subpart BBBB: Compliance Certification
- 71 76 40 CFR Part 64: Compliance Certification

**EU=1-TANKS**

- 74 77 6 NYCRR 229.5 (a): Compliance Certification

**EU=3-TANKS**

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74 78 40CFR 60.116b(b), NSPS Subpart Kb: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

77 79 ECL 19-0301: Contaminant List

77 80 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities

78 30 6 NYCRR 211.1: Air pollution prohibited

NOTE: \* preceding the condition number indicates capping.

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 2/FINAL

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 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 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

**Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (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 C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (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 D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (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 E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (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

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reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (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 G: Property Rights - 6 NYCRR 201-6.4 (a) (6)**

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

**Item H: Severability - 6 NYCRR 201-6.4 (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 I: Permit Shield - 6 NYCRR 201-6.4 (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

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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 J: Reopening for Cause - 6 NYCRR 201-6.4 (i)**

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of 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 the 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 section 201- 6.6 of this Subpart.

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

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

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

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

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

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

**Item K: 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 L: Federally Enforceable Requirements - 40 CFR 70.6 (b)**

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

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

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

**Condition 1: Acceptable Ambient Air Quality  
Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR 200.6****Item 1.1:**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where



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contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)**

**Item 2.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c)**

**Item 3.1:**

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

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

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

**Condition 4: Records of Monitoring, Sampling, and Measurement**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all

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reports required by the permit.

**Condition 5: Compliance Certification****Effective between the dates of 08/27/2015 and 08/26/2020****Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)****Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements,

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the report shall be contained in the 6 month monitoring report required above.

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual

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report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department’s Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

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

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specified in any special permit terms or conditions;  
and  
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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

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

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section  
USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer  
NYSDEC Region 9 Headquarters  
270 Michigan Avenue  
Buffalo, NY 14203-2915

The address for the BQA is as follows:

NYSDEC

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2016.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 202-2.1**

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 202-2.5**

**Item 8.1:**

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

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

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

**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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**Applicable Federal Requirement: 6 NYCRR 215.2****Item 9.1:**

Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item 9.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.**

**[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 10: Maintenance of Equipment  
Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage  
Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 11.1:**

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air  
Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 12.1:**

No person shall unnecessarily remove, handle or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Condition 13: Exempt Sources - Proof of Eligibility  
Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 13.1:**

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make



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them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 14.1:**

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 15: Requirement to Provide Information**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)**

**Item 15.1:**

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

**Condition 16: Right to Inspect**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)**

**Item 16.1:**

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

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

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**Condition 17: Off Permit Changes**

Effective between the dates of 08/27/2015 and 08/26/2020

Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)

**Item 17.1:**

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

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

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

**Condition 18: Required Emissions Tests**

Effective between the dates of 08/27/2015 and 08/26/2020

Applicable Federal Requirement:6 NYCRR 202-1.1

**Item 18.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

**Condition 19: Accidental release provisions.**

Effective between the dates of 08/27/2015 and 08/26/2020

Applicable Federal Requirement:40 CFR Part 68

**Item 19.1:**

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

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

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b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

**Condition 20: Recycling and Emissions Reduction**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 20.1:**

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

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

**Condition 21: Emission Unit Definition**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 21.1:**

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

Emission Unit: 1-CMBST

Emission Unit Description:

This unit consists of an emission point for which a facility wide emission cap was obtained to avoid PSD requirements, and eleven (11) exempt sources. Included in the eleven (11) exempt sources are the two hot oil heaters that were installed as part of the asphalt rail unloading.

All sources in unit 1-Cmbst can burn reprocessed waste oil/waste oil, no 6 fuel oil, natural gas, no 2 fuel oil and kerosene and bio-fuels.

**Item 21.2:**

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

Emission Unit: 1-RACKS

Emission Unit Description:

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

**Item 21.3:**

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

Emission Unit: 1-TANKS

Emission Unit Description:

Eight (8) vertical storage tanks of different volumes. All tanks have sealed, internal floating roofs, and store gasoline, aviation gasoline, ethanol or other liquid products with a vapor pressure greater than 1.5 psia. The tanks are covered by the operational flexibility protocol. Tanks T101 and T210 were removed from the 2-Tanks and added to the 1-Tanks. An internal floating roof was installed in each tank in compliance with 1-Tanks requirements. Tanks T101 and T210 are also covered by the operational flexibility protocol.

**Item 21.4:**

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

Emission Unit: 2-TANKS

Emission Unit Description:

Sixteen (16) storage tanks of different volumes are used to store fuel oil, reprocessed waste oil/waste oil or various chemical products of low vapor pressure. Each tank has a fixed roof. All tanks are covered by the operational flexibility protocol.

**Item 21.5:**

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

Emission Unit: 3-TANKS

Emission Unit Description:

Thirteen (13) storage tanks of different volumes are used to store volatile organic liquids with a vapor pressure less than 6.8 psia. All tanks in this unit are subject to dimension/capacity record keeping requirements under 40 CFR Part 60 Subpart Kb. These tanks are also covered by the operational flexibility protocol.

**Item 21.6:**

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

Emission Unit: 4-TANKS

Emission Unit Description:

Six (6) tanks store liquid asphalt, Tank 107, Tank 124, Tank 126, Tank 128, Tank 130 and Tank 215. Each tank has

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a fixed roof.

**Condition 22: Progress Reports Due Semiannually**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)**

**Item 22.1:**

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

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 23: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 201-6.4 (f)**

**Item 23.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

**OPERATIONAL FLEXIBILITY PLAN**

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

T-101, T-102, T-107, T-108, T-109, T-110, T-111, T-112, T-113, T-114, T-115, T-116, T-117, T-0118, T-119, T-120, T-121, T-122, T-123, T-124, T-125, T-126, T-127, T-128, T-129, T-130, T-147, T-148, T-149, T-150, T-151, T-152, T-153, T-154, T-155, T-156, T-210, T-211, T-212, T-213, T-214, T-215 and T-216 provided the following conditions are followed:

1. When a supplier requests a product containing

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

2. The proposed product containing regulated air pollutants must have a vapor pressure at standard conditions of less than 1.0 psia.
3. The proposed product containing regulated air pollutants will comply with any applicable Part 212 requirements.
4. The change in the facility's total Hazardous Air Pollutant (HAP) and individual HAP emissions must be evaluated.
5. The tank must be evaluated for proper venting control for the proposed product containing regulated air pollutants, and
6. If the above criteria are met, the facility must notify the NYSDEC Region 9 office, in writing, 5 days prior to the changeover to the new product containing regulated air pollutants.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 24: Facility Permissible Emissions**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 24.1:**

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

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

CAS No: 007446-09-5	PTE: 199,577 pounds per year
Name: SULFUR DIOXIDE	
CAS No: 0NY100-00-0	PTE: 49,990 pounds per year
Name: TOTAL HAP	

**Condition 25: Capping Monitoring Condition**

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Effective between the dates of 08/27/2015 and 08/26/2020

**Applicable Federal Requirement:6 NYCRR Subpart 201-7****Item 25.1:**

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

40 CFR Part 52, Subpart A

**Item 25.2:**

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

**Item 25.3:**

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

**Item 25.4:**

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

**Item 25.5:**

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

**Item 25.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 25.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

The facility shall not exceed 100 tons/year of Sulfur Dioxide (SO<sub>2</sub>) emissions in any consecutive 12 month period. The facility will use the following calculations

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based on emission factors in AP-42 Table 1.3-1 to demonstrate compliance for the combustion of #2 and #6 fuel oil and reprocessed waste oil/waste oil:

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

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

(AP 42 Table 1.3-1 emission factors for reprocessed waste oil/waste oil) x total amount of reprocessed waste oil/waste oil combusted divided by 1000 (lbs /1000 gallon) divided by 2000 = total tons/year of SO<sub>2</sub>.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: WASTE OIL

Upper Permit Limit: 100 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 26: Capping Monitoring Condition**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 26.1:**

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

40 CFR 63.420 (a) (2)

**Item 26.2:**

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

**Item 26.3:**

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



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**Item 26.4:**

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

**Item 26.5:**

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

**Item 26.6:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS  
Monitoring Description:  
The facility shall not exceed a gasoline and/or ethanol throughput of 300,000,000 gallons per year in any consecutive 12 month period.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: GASOLINE  
Upper Permit Limit: 300,000,000 gallons  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 27: Capping Monitoring Condition**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 27.1:**

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

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40 CFR 63.420 (a) (2)

**Item 27.2:**

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

**Item 27.3:**

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

**Item 27.4:**

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

**Item 27.5:**

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

**Item 27.6:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 27.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

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

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Permit Limit: 265,000,000 gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

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**Condition 28: Capping Monitoring Condition**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 28.1:**

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

40 CFR 63.420 (a) (2)

**Item 28.2:**

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

**Item 28.3:**

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

**Item 28.4:**

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

**Item 28.5:**

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

**Item 28.6:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 28.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes  
 Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS  
 Monitoring Description:  
 The facility shall not exceed a total HAP emission of 25

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tons in any consecutive 12 month period. Verification of monthly HAP emissions will be determined via emission calculations using emission factors acceptable to the DEC.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: GASOLINE

Parameter Monitored: TOTAL HAP

Upper Permit Limit: 25 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 29: Capping Monitoring Condition**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 29.1:**

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

40 CFR 63.420 (a) (2)

**Item 29.2:**

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

**Item 29.3:**

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

**Item 29.4:**

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

**Item 29.5:**

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

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**Item 29.6:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 29.7:**

Compliance Certification shall include the following monitoring:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: GASOLINE  
 Parameter Monitored: TOTAL HAP  
 Upper Permit Limit: 10 tons per year  
 Monitoring Frequency: MONTHLY  
 Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 81: Visible Emissions Limited**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 81.1:**  
 Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 31: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 212.3 (a)**

**Item 31.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 31.2:**

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Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Maintain monthly weighted average temperature of all asphalt storage and marketing tanks less than 325 degrees Fahrenheit. Maintain tank temperature records in a format acceptable to the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: ASPHALT

Parameter Monitored: ASPHALT

Upper Permit Limit: 325 degrees Fahrenheit

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 32: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 212.4 (b)**

**Item 32.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NOCO Energy Corp shall install, operate and maintain a vapor collection and control system that routes vapors from each asphalt storage tank through a carbon adsorption system. The activated carbon shall be replaced with fresh material as often as necessary to prevent break-through of significant odors. The vapor collection and control system shall be operated at all times to control storage tank breathing losses as well as during all tank transfers, loading, and unloading activities.

NOCO Energy Corp shall develop an operation and maintenance (O&M) plan, which shall include monitoring, for the vapor control system. The O&M plan shall be submitted to the Department no later December 1, 2015 for approval. A summary of the monitoring and maintenance activities for the vapor collection and control system

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shall be maintained in a bound log book on site and made available to the Department upon request.

The technology shall be installed on each asphalt tank while it is down for routine inspection and repairs per the time frame required in the Major Oil Storage Facility (MOSF) License issued by this Department on April 1, 2015. This license is issued under MOSF License Number 9-1240 in accordance with 6 NYCRR Parts 610, 613-614. No asphalt tank will be brought back into service without the technology described; however those in service will not be brought down specifically for this installation.

The effectiveness of the non-regenerative carbon canisters is typically measured by the differential pressure across the canisters using a magnehelic pressure gauge. Since it is unknown, at this time, how these carbon canisters will perform within the NOCO asphalt tank service, a pilot test run period will be needed to establish their baseline performance. During the pilot test run period, discharges from the carbon canisters will be monitored for odor via field observations or a field olfactometer (such as a Nasal Ranger) on a daily basis to establish the maximum differential pressure. The maximum differential pressure will be established to reflect, when the carbon canisters can no longer effectively remove the odor from the discharge and breakthrough of the carbon media is eminent.

After the maximum differential pressure has been set, the operator will monitor the readings on a daily basis to assure performance of the carbon adsorption canisters.

An overall odor control project installation schedule has been developed for the current asphalt tanks at the NOCO Terminal located at 700 Grand Island Blvd. Tonawanda, NY 14150. The following table represents the best estimate for the odor control equipment installation for each individual asphalt tank. These dates are subject to change based on the asphalt business market and the on-going operation at the terminal facilities.

Tank Identification Number	Odor Control Project Installation Date
107	1st
quarter 2018	
124	1st
quarter 2017	
126	1st
quarter 2017	
128	1st
quarter 2015	

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130 quarter 2019	1st
215 quarter 2016	1st

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 33: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR 225-1.2 (f)**

**Item 33.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 33.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of commercial, industrial, or residential emission sources that fire number two heating oil on or after July 1, 2012 are limited to the purchase of number two heating oil with 0.0015 percent sulfur by weight or less. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 HEATING OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 34: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**



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**Applicable Federal Requirement:6 NYCRR 225-1.2 (i)**

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of any stationary combustion installation that fires waste oil on or after July 1, 2014 are limited to the firing of waste oil with 0.75 percent sulfur by weight or less.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.75 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 35: Compliance Certification**

**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 225-2.4**

**Item 35.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(a) Any owner and/or operator of an emission source may receive a permit and/or certificate to burn waste fuel A and/or waste fuel B in response to written application to

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the commissioner by the owner and/or operator, including submittal of the following information:

- (1) a demonstration, to the satisfaction of the commissioner, that the emissions resulting from the use of the waste fuel comply with section 200.6 of this Title;
- (2) fuel analyses representative of the waste fuel to be burned and acceptable to the commissioner;
- (3) a demonstration, to the satisfaction of the commissioner, showing compliance with the provisions of 40 CFR Part 761 (see Table 1, section 200.9 of this Title), if the waste fuel B contains 50 ppm by weight or greater of polychlorinated biphenyls (PCB) or is otherwise regulated as PCB waste under 40 CFR Part 761 (see Table 1, section 200.9 of this Title); and
- (4) a demonstration of compliance with guidelines issued by the commissioner relative to the burning of waste fuel.

(b) Table 2-1

TABLE 2-1

Constituents/Property	Fuel
Constituent/Property Allowable	
Polychlorinated Biphenyls (PCB)	Less than 50 ppm
(1)	
Total Halogens	
1,000 ppm (1) maximum	
Sulfur	
See Subpart 225-1 for sulfur limitations	
Lead	
250 ppm (1) maximum	
Gross Heat Content	
125,000 (Btu/gal) minimum	
(1) Parts per million (ppm) by weight (water free basis) of fuel.	

Monitoring Frequency: PER DELIVERY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.

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

**Condition 36: Sale of waste fuel prohibitions.**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 225-2.6 (c)**

**Item 36.1: No person may sell, offer for sale, deliver or exchange in trade any waste fuel except to a facility meeting the applicable requirements of this Subpart and the regulations promulgated pursuant to article 27, titles 7 and 9 and article 23, title 23 of ECL or to a transporter of waste fuel who is permitted under 6 NYCRR Part 364.**

**Condition 37: Purchase of waste fuel prohibitions.**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 225-2.6 (d)**

**Item 37.1: No owner or operator of a facility proposing to burn waste fuel or transporter of waste fuel may purchase, accept delivery, pick up or accept in trade any waste fuel unless the facility is receiving or proposing to burn waste fuel that that meets the applicable requirements of this Subpart and the regulations promulgated pursuant to article 27, titles 7 and 9 and article 23, title 23 of the ECL and the transporter of the waste fuel is permitted under 6 NYCRR Part 364.**

**Condition 38: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 38.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 38.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: GASOLINE

Parameter Monitored: REID VAPOR PRESSURE

Upper Permit Limit: 9.0 pounds per square inch absolute

Monitoring Frequency: PER DELIVERY

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

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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 39: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 39.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 39.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- The owner or operator of any refinery, terminal, or bulk plant from which gasoline, subject to this Subpart, is distributed must maintain records on the gasoline that is delivered to or distributed from such facilities. These records shall include:
- (1) The RVP of the gasoline if subject to section 225-3.3 of this Subpart.
  - (2) A designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
  - (3) Written certification that the gasoline:
    - (i) conforms with all RVP and oxygen content requirements of this Subpart; and
    - (ii) is in compliance with all applicable State and Federal regulations which apply during the time period(s) specified pursuant to paragraph (3) of this subdivision.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 40: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 40.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 40.2:**  
 Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- (1) A copy of the certification produced for paragraph (a)(3) of 6 NYCRR Part 225-3.4.
- (2) Documentation of the maximum RVP of the gasoline if the gasoline was subject to section 225-3.3 of this Subpart.
- (3) Designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
- (4) Documentation of the shipment quantity and the shipment date of the gasoline being distributed.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 41: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 42: Internal floating roofs required in fixed roof tanks storing petroleum products**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 229.3 (a)**

**Item 42.1:**

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

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

**Condition 43: Testing and monitoring requirements**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 229.4 (a)**

**Item 43.1:**

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

**Condition 44: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 229.5 (c)**

**Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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Monitoring Frequency: DAILY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 45: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 40CFR 63.11092(b)(1)(i)('B'), NESHAP Subpart BBBBBB**

**Item 45.1:**  
 The Compliance Certification activity will be performed for the Facility.

**Item 45.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

As an alternative to 40 CFR 63.11092(b)(1)(i)(A), the owner or operator may choose to meet the requirements listed below.

- (1) Carbon adsorption devices shall be monitored as specified in paragraphs (i), (ii), and (iii).
  - (i) Vacuum level shall be monitored using a pressure transmitter installed in the vacuum pump suction line, with the measurements displayed on a gauge that can be visually observed. Each carbon bed shall be observed during one complete regeneration cycle on each day of operation of the loading rack to determine the maximum vacuum level achieved.
  - (ii) Conduct annual testing of the carbon activity for the carbon in each carbon bed. Carbon activity shall be tested in accordance with the butane working capacity test of the American Society for Testing and Materials (ASTM) Method D 5228-92 (incorporated by reference, see 40 CFR 63.14), or by another suitable procedure as recommended by the manufacturer.
  - (iii) Conduct monthly measurements of the carbon bed outlet volatile organic compounds (VOC) concentration over the last 5 minutes of an adsorption cycle for each carbon bed, documenting the highest measured VOC concentration. Measurements shall be made using a portable analyzer, or a permanently mounted analyzer, in accordance with 40 CFR part 60, Appendix A-7, EPA Method 21 for open-ended lines.

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(2) Develop and submit to the Administrator a monitoring and inspection plan that describes the owner or operator's approach for meeting the requirements in paragraphs (i) through (v).

(i) The lowest maximum required vacuum level and duration needed to assure regeneration of the carbon beds shall be determined by an engineering analysis or from the manufacturer's recommendation and shall be documented in the monitoring and inspection plan.

(ii) The owner or operator shall verify, during each day of operation of the loading rack, the proper valve sequencing, cycle time, gasoline flow, purge air flow, and operating temperatures. Verification shall be through visual observation, or through an automated alarm or shutdown system that monitors system operation. A manual or electronic record of the start and end of a shutdown event may be used.

(iii) The owner or operator shall perform semi-annual preventive maintenance inspections of the carbon adsorption system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

(iv) The monitoring plan developed under 40 CFR 63.11092(b)(1)(i)(B)(2) shall specify conditions that would be considered malfunctions of the carbon adsorption system during the inspections or automated monitoring performed under 40 CFR 63.11092(b)(1)(i)(B)(2)(i) through (iii), describe specific corrective actions that will be taken to correct any malfunction, and define what the owner or operator would consider to be a timely repair for each potential malfunction.

(v) The owner or operator shall document the maximum vacuum level observed on each carbon bed from each daily inspection and the maximum VOC concentration observed from each carbon bed on each monthly inspection as well as any system malfunction, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with a written entry into a log book or other permanent form of record. Such record shall also include a description of the corrective action taken and whether such corrective actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded during the period of the malfunction.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



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DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 46: Notifications (63.11093 a-d)**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63.11093, Subpart BBBBBB**

**Item 46.1:**

- (a) Each owner/operator of an affected source under subpart BBBBBB must submit an initial notification as specified in §63.9(b). If the facility is in compliance with the requirements of subpart BBBBBB at the time the initial notification is due, the notification of compliance status required under (b) of this condition may be submitted in lieu of the initial notification.
- (b) Each owner/operator of an affected source under subpart BBBBBB must submit a notification of compliance status as specified in §63.9(h). The notification of compliance status must specify which of the compliance options included in table 1 of subpart BBBBBB that is used to comply with the subpart.
- (c) Each owner/operator of an affected bulk gasoline terminal under subpart BBBBBB must submit a notification of performance test, as specified in §63.9(e), prior to initiating testing required by §63.11092(a) or §63.11092(b).
- (d) Each owner/operator of any affected source under subpart BBBBBB must submit additional notifications specified in §63.9, as applicable.

**Condition 47: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63.11094(b), Subpart BBBBBB**

**Item 47.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 47.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall keep records of the test results for each gasoline cargo tank loading at the facility as specified below:

- 1) Annual certification testing performed under

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§63.11092(f)(1) and periodic railcar bubble leak testing performed under §63.11092(f)(2).

2) The documentation file shall be kept up-to-date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, as a minimum, the following information:

- Name of Test: Annual Certification Test - Method 27 or Periodic Railcar Bubble Leak Test Procedure.
- Cargo tank owner's name and address
- Cargo tank identification number
- Test location and date
- Tester name and signature
- Witnessing inspector, if any: name, signature, affiliation
- Vapor tightness repair: Nature of repair work and when performed in relation to vapor tightness testing
- Test results: Test pressure, pressure or vacuum change, mm of water; time period of test; number of leaks found with instrument; and leak definition

3) If the facility is complying with the alternative requirements in §63.11088(b), the facility must keep records documenting that the facility has verified the vapor tightness testing according to the requirements of EPA.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 48: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 40CFR 63.11094(d), Subpart BBBBBB**

**Item 48.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 48.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If the facility is subject to the equipment leak

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provisions of §63.11089, then the facility shall prepare and maintain a record describing the types, identification numbers, and locations of all equipment in gasoline service. For facilities electing to implement an instrument program under §63.11089, the record shall contain a full description of the program.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 49: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63.11094(e), Subpart BBBBBB**

**Item 49.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If the facility is subject to the requirements for equipment leak inspections in §63.11089, then the facility shall record in the log book for each leak that is detected, the information below:

- 1) The equipment type and identification number.
- 2) The nature of the leak (i.e., vapor or liquid) and the method of detection (i.e., sight, sound, or smell).
- 3) The date the leak was detected and the date of each attempt to repair the leak.
- 4) Repair methods applied in each attempt to repair the leak.
- 5) "Repair delayed" and the reason for the delay if the leak is not repaired within 15 calendar days after discovery of the leak.
- 6) The expected date of successful repair of the leak if the leak is not repaired within 15 days.
- 7) The date of successful repair of the leak.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Facility DEC ID: 9146400090

Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 50: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 40CFR 63.11094(f), Subpart BBBBBB**

**Item 50.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 50.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall keep the following records:

- 1) Keep an up-to-date, readily accessible record of the continuous monitoring data required under §63.11092(b) or §63.11092(e). This record shall indicate the time intervals during which loadings of gasoline cargo tanks have occurred or, alternatively, shall record the operating parameter data only during such loadings. The date and time of day shall also be indicated at reasonable intervals on this record.
- 2) Record and report simultaneously with the Notification of Compliance Status required under §63.11093(b) all data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under §63.11092(b) or §63.11092(e).
- 3) Keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under §63.11092(b)(1)(i)(B)(2) or §63.11092(b)(1)(iii)(B)(2).
- 4) Keep an up-to-date, readily accessible copy of all system malfunctions, as specified in §63.11092(b)(1)(i)(B)(2)(v) or §63.11092(b)(1)(iii)(B)(2)(v).
- 5) If the facility requests approval to use a vapor processing system or monitor an operating parameter other than those specified in §63.11092(b), the facility shall submit a description of planned reporting and

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recordkeeping procedures.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 51: Compliance Certification**  
Effective between the dates of 08/27/2015 and 08/26/2020

**Applicable Federal Requirement:40CFR 63.11095(a), Subpart BBBBBB**

**Item 51.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each facility with a bulk terminal or pipeline breakout station that is subject to control requirements of subpart BBBBBB shall include in a semiannual compliance report the following information, as applicable:

- 1) For storage vessels, if the facility is complying with options 2(a), 2(b), or 2(c) in table 1 of subpart BBBBBB, the informations specified in §60.115b(a), §60.115b(b), or §60.115b(c), depending upon the control equipment installed, or, if the facility is complying with option 2(d) in table 1 of subpart BBBBBB, the information specified in §63.1066.
- 2) For loading racks, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.
- 3) For equipment leak inspections, the number of equipment leaks not repaired within 15 days after detection.
- 4) For storage vessels complying with §63.11087(b) after January 10, 2011, the storage vessel's Notice of Compliance Status information can be included in the next semi-annual compliance report in lieu of filing a separate Notification of Compliance Status report under §63.11093.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

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Facility DEC ID: 9146400090

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 52: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63.11095(b), Subpart BBBBBB**

**Item 52.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 52.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A facility that is subject to the control requirements in Subpart BBBBBB, shall submit an excess emissions report to NYSDEC at the time the semiannual compliance report is submitted. Excess emissions events under subpart BBBBBB, and the information to be included in the excess emissions report, are as follows:

- 1) Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the facility failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.
- 2) Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with §63.11094(b).
- 3) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under §63.11092(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the continuous monitoring system.
- 4) Each instance in which malfunctions discovered during the monitoring and inspections required under §63.11092(b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2) were not

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resolved according to the necessary corrective actions described in the monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction.

5) for each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection:

- the date on which the leak was detected;
- the date of each attempt to repair the leak;
- the reasons for the delay of repair; and
- the date of successful repair.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 53: Compliance and Enforcement**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63, Subpart JJJJJ**

**Item 53.1:**

The Department has not accepted delegation of 40 CFR Part 63 Subpart JJJJJ. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 63 Subpart JJJJJ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

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

**Condition 54: Process Definition By Emission Unit**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR Subpart 201-6**

**Item 54.1:**

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

Emission Unit: 1-CMBST

Process: GAS

Source Classification Code: 1-03-006-03

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Process Description: EMISSIONS FROM THE COMBUSTION OF NATURAL GAS.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

**Item 54.2:**

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

Emission Unit: 1-CMBST

Process: NO2

Source Classification Code: 1-03-005-01

Process Description: EMISSIONS FROM THE COMBUSTION OF NO 2 FUEL OIL.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

**Item 54.3:**

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

Emission Unit: 1-CMBST

Process: NO6

Source Classification Code: 1-03-004-01

Process Description: EMISSIONS FROM THE COMBUSTION OF NO 6 FUEL OIL.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

**Item 54.4:**

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

Emission Unit: 1-CMBST

Process: WOL

Source Classification Code: 1-03-013-02

Process Description:

EMISSIONS FROM THE COMBUSTION OF  
REPROCESSED WASTE OIL/ WASTE OIL.

Emission Source/Control: COHT1 - Combustion

Emission Source/Control: COHT2 - Combustion

Emission Source/Control: COHT3 - Combustion

**Item 54.5:**

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



Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Emission Unit: 1-RACKS  
 Process: L1C Source Classification Code: 4-04-001-50

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

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

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

**Item 54.6:**

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

Emission Unit: 1-RACKS  
 Process: L1F Source Classification Code: 4-04-001-54

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

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

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

**Item 54.7:**

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

Emission Unit: 1-RACKS  
 Process: L1U Source Classification Code: 4-04-001-50

Process Description:  
 LOADING RACK 1 (LR020) CURRENTLY BOTTOM LOADS TWO (2) PRODUCTS (JET A AND 3,4 DICHLOROBENZOTRIFLUORIDE OR 3,4 PARACHLOROBENZOTRIFLUORIDE) INTO TRUCKS WITHOUT VAPOR COLLECTION. ANY CHANGES IN CHEMICALS SO LOADED WILL BE SUBJECT TO THE OPERATIONAL FLEXIBILITY PROTOCOL IN ATTACHMENT 4.

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

**Item 54.8:**

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

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

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

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

**Item 54.9:**

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

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

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

**Item 54.10:**

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

Emission Unit: 1-RACKS  
 Process: L4U Source Classification Code: 4-04-001-50  
 Process Description:  
 LOADING RACK 4 (LR040) CURRENTLY TOP LOADS  
 MONOCHLOROTOLUENE INTO RAILCARS. ANY  
 CHANGES IN THE CHEMICALS SO LOADED WILL BE  
 SUBJECT TO THE OPERATIONAL FLEXIBILITY  
 PROTOCOL.

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

**Item 54.11:**

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

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

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Facility DEC ID: 9146400090

OILS INTO TRUCKS.

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

**Item 54.12:**

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

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

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

**Item 54.13:**

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

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

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

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

**Item 54.14:**

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

Emission Unit: 1-TANKS  
Process: FGL Source Classification Code: 4-04-001-51  
Process Description:  
MISCELLANEOUS FUGITIVE HAP AND VOC  
EMISSIONS FROM VALVE, PUMP, AND FLANGE  
LEAKAGE.

Emission Source/Control: FUGTV - Process

**Item 54.15:**

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

Emission Unit: 1-TANKS  
Process: LL1 Source Classification Code: 4-04-001-79  
Process Description:  
LOADING LOSSES FROM FIVE (5) STORAGE

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Facility DEC ID: 9146400090

TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL FLOATING ROOF, AND HOLDS EITHER GASOLINE OR AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOFS ON THESE TANKS ARE OF STEEL CONSTRUCTION. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

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

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

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

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

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

**Item 54.16:**

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

Emission Unit: 1-TANKS

Process: LL2

Source Classification Code: 4-04-001-79

Process Description:

LOADING LOSSES FROM THREE (3) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL ROOF, AND HOLDS EITHER GASOLINE, AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOFS ON THESE TANKS ARE CONSTRUCTED OF ALUMINUM. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

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

Emission Source/Control: 0T120 - Process

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Design Capacity: 2,500,000 gallons

Emission Source/Control: 0T210 - Process

Design Capacity: 504,000 gallons

**Item 54.17:**

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

Emission Unit: 1-TANKS

Process: SL1

Source Classification Code: 4-04-001-60

Process Description:

STANDING LOSSES FROM FIVE (5) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL FLOATING ROOF, AND HOLDS EITHER GASOLINE OR AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5 PSIA. THE INTERNAL FLOATING ROOFS ON THESE TANKS ARE OF STEEL CONSTRUCTION. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

Emission Source/Control: IFR01 - Control

Control Type: FLOATING ROOF

Emission Source/Control: 0T102 - Process

Design Capacity: 2,300,000 gallons

Emission Source/Control: 0T112 - Process

Design Capacity: 84,462 gallons

Emission Source/Control: 0T113 - Process

Design Capacity: 84,462 gallons

Emission Source/Control: 0T114 - Process

Design Capacity: 84,462 gallons

Emission Source/Control: 0T119 - Process

Design Capacity: 3,400,000 gallons

**Item 54.18:**

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

Emission Unit: 1-TANKS

Process: SL2

Source Classification Code: 4-04-001-60

Process Description:

STANDING LOSSES FROM THREE (3) STORAGE TANKS. EACH TANK IS GREATER THAN 40,000 GALLONS IN CAPACITY, HAS A SEALED INTERNAL ROOF, AND HOLDS EITHER GASOLINE, AVIATION GASOLINE, ETHANOL OR OTHER LIQUID PRODUCTS WITH A VAPOR PRESSURE GREATER THAN 1.5

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

PSIA. THE INTERNAL FLOATING ROOFS ON THESE TANKS ARE CONSTRUCTED OF ALUMINUM. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

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

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

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

**Item 54.19:**

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

Emission Unit: 2-TANKS  
Process: LL3 Source Classification Code: 3-05-002-12  
Process Description:

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

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

Emission Source/Control: 0T110 - Process  
Design Capacity: 846,048 gallons

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

Emission Source/Control: 0T118 - Process  
Design Capacity: 5,000 gallons

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

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

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

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

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

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

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

Emission Source/Control: 0T211 - Process  
Design Capacity: 1,260,000 gallons

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

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

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

**Item 54.20:**

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

Emission Unit: 2-TANKS

Process: SL3

Source Classification Code: 3-05-002-12

Process Description:

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

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

Emission Source/Control: 0T110 - Process  
Design Capacity: 846,048 gallons

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

Emission Source/Control: 0T118 - Process  
Design Capacity: 5,000 gallons

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

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

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

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

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

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

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

Emission Source/Control: 0T211 - Process  
 Design Capacity: 1,260,000 gallons

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

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

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

**Item 54.21:**

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

Emission Unit: 3-TANKS

Process: LL4

Source Classification Code: 4-07-146-98

Process Description:

LOADING LOSSES FROM TEN (10) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 20000 GALLONS AND HOLD REPROCESSED WASTE OIL/WASTE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

Emission Source/Control: 0T147 - Process  
 Design Capacity: 20,000 gallons

Emission Source/Control: 0T148 - Process  
 Design Capacity: 20,000 gallons

Emission Source/Control: 0T149 - Process  
 Design Capacity: 20,000 gallons

Emission Source/Control: 0T150 - Process  
 Design Capacity: 20,000 gallons

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

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



Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

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

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

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

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

**Item 54.22:**

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

Emission Unit: 3-TANKS  
Process: LL5 Source Classification Code: 4-07-146-98  
Process Description:

LOADING LOSSES FROM THREE (3) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 30000 GALLONS AND HOLD DISTILLATE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

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

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

**Item 54.23:**

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

Emission Unit: 3-TANKS  
Process: SL4 Source Classification Code: 4-07-146-97  
Process Description:

STANDING STORAGE LOSSES FROM TEN (10) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 20000 GALLONS AND HOLD REPROCESSED WASTE OIL/WASTE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

Emission Source/Control: 0T147 - Process  
Design Capacity: 20,000 gallons

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Emission Source/Control: 0T148 - Process  
Design Capacity: 20,000 gallons

Emission Source/Control: 0T149 - Process  
Design Capacity: 20,000 gallons

Emission Source/Control: 0T150 - Process  
Design Capacity: 20,000 gallons

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

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

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

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

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

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

**Item 54.24:**

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

Emission Unit: 3-TANKS

Process: SL5

Source Classification Code: 4-07-146-97

Process Description:

STANDING STORAGE LOSSES FROM THREE (3) STORAGE TANKS. THE TANKS EACH HAVE A CAPACITY OF 30000 GALLONS AND HOLD DISTILLATE OIL WITH A VAPOR PRESSURE OF LESS THAN 6.8 PSIA. ALL TANKS ARE SUBJECT TO THE CHEMICAL STORAGE OPERATIONAL FLEXIBILITY PLAN.

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

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

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

**Item 54.25:**

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

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Emission Unit: 4-TANKS  
Process: LL6 Source Classification Code: 4-07-146-98  
Process Description: LOADING LOSSES FROM THE STORAGE OF LIQUID ASPHALT.

Emission Source/Control: AT107 - Process  
Design Capacity: 2,346,960 gallons

Emission Source/Control: AT124 - Process  
Design Capacity: 1,000,000 gallons

Emission Source/Control: AT126 - Process  
Design Capacity: 3,400,000 gallons

Emission Source/Control: AT128 - Process  
Design Capacity: 1,700,000 gallons

Emission Source/Control: AT130 - Process  
Design Capacity: 6,300,000 gallons

Emission Source/Control: AT215 - Process  
Design Capacity: 4,200,000 gallons

**Item 54.26:**

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

Emission Unit: 4-TANKS  
Process: SL6 Source Classification Code: 4-07-146-97  
Process Description:  
STANDING LOSSES FROM THE STORAGE OF LIQUID ASPHALT.

Emission Source/Control: AT107 - Process  
Design Capacity: 2,346,960 gallons

Emission Source/Control: AT124 - Process  
Design Capacity: 1,000,000 gallons

Emission Source/Control: AT126 - Process  
Design Capacity: 3,400,000 gallons

Emission Source/Control: AT128 - Process  
Design Capacity: 1,700,000 gallons

Emission Source/Control: AT130 - Process  
Design Capacity: 6,300,000 gallons

Emission Source/Control: AT215 - Process  
Design Capacity: 4,200,000 gallons

**Condition 55: Compliance Certification**

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Effective between the dates of 08/27/2015 and 08/26/2020

**Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)****Item 55.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-CMBST

**Item 55.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

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

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

Parameter Monitored: OPACITY

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Upper Permit Limit: 20 percent  
Reference Test Method: Method 9  
Monitoring Frequency: DAILY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 56: Existing source**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63.11194(b), Subpart JJJJJ**

**Item 56.1:**  
This Condition applies to Emission Unit: 1-CMBST

**Item 56.2:**

An affected source is an existing source if the owner or operator commenced construction or reconstruction of the affected source on or before June 4, 2010.

**Condition 57: Emissions from new emission sources and/or modifications**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 212.4 (a)**

**Item 57.1:**  
This Condition applies to Emission Unit: 1-RACKS

**Item 57.2:**  
No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

**Condition 58: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 229.3 (d)**

**Item 58.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 58.2:**  
Compliance Certification shall include the following monitoring:

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

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

Monitoring Description:

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

Parameter Monitored: VOC

Upper Permit Limit: 0.67 pounds per 1000 gallons

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 59: No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.  
Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 59.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 59.2:**

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

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

**Condition 60: Requirements for gasoline transport vehicles delivering to Stage I controlled dispensing sites.  
Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 230.2 (f)**

**Item 60.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 60.2:**

Owners and/or operators of gasoline transport vehicles and gasoline dispensing sites

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

subject to stage I vapor collection or vapor control requirements must:

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

**Condition 61: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 61.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 61.2:**  
 Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Manufacturer Name/Model Number: Gasoline Transport Vehicle

Parameter Monitored: PRESSURE CHANGE

Upper Permit Limit: 3.0 inches of water

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
 DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

**Condition 62: Repairs to gasoline transport vehicles**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 62.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 62.2:**

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

**Condition 63: Labelling of gasoline transport vehicles**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 63.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 63.2:**

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

**Condition 64: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 230.4 (b)**

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 64.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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



Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

retested.

Parameter Monitored: PRESSURE CHANGE  
 Upper Permit Limit: 3.0 inches of water  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2016.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 65: Leak limit**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR 230.4 (e)**

**Item 65.1:**  
 This Condition applies to Emission Unit: 1-RACKS

**Item 65.2:**  
 Leakage of vapors from any component of the gasoline transport vehicle or the vapor collection and control system must not equal or exceed 100 percent of the lower explosive limit measured as propane during the loading of a gasoline transport vehicle. No avoidable visible liquid leak from such components is allowed, including all piping, seals, hoses, connections, pressure-vacuum seals, and other possible leak sources.

**Condition 66: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 6 NYCRR 230.4 (f)**

**Item 66.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 66.2:**  
 Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: PRESSURE  
 Lower Permit Limit: 6.0 inches of water  
 Upper Permit Limit: 18.0 inches of water  
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 67: Dome covers**

**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 230.4 (g)**

**Item 67.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 67.2:**

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

**Condition 68: Compliance Certification**

**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 230.6 (a)**

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

**Condition 69: Compliance Certification**  
Effective between the dates of 08/27/2015 and 08/26/2020

**Applicable Federal Requirement:6 NYCRR 230.6 (b)**

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 69.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 70: Compliance date for an existing affected source**  
Effective between the dates of 08/27/2015 and 08/26/2020

**Applicable Federal Requirement:40CFR 63.11083(b), Subpart BBBBBB**

**Item 70.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 70.2:**

An existing affected source must comply with the standards of this subpart no later than January 10, 2011.

**Condition 71: Compliance Certification**  
Effective between the dates of 08/27/2015 and 08/26/2020

**Applicable Federal Requirement:40CFR 63.11088, Subpart BBBBBB**

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For gasoline loading racks at bulk gasoline terminals, pipeline breakout stations or pipeline pumping stations the facility owner or operator shall meet the following requirements:

- (a) The facility shall meet each emission limit and management practice in Table 2 of Subpart BBBBBB that apply to the facility.
- (b) As an alternative for railcar cargo tanks to the requirements specified in Table 2 of Subpart BBBBBB, the facility may comply with the requirements specified in 40 CFR 63.422(e).
- (c) The facility shall comply with the requirements of this subpart by the applicable dates specified in 40 CFR 63.11083.
- (d) The facility shall comply with the applicable testing and monitoring requirements specified in 40 CFR 63.11092.
- (e) The facility shall submit the applicable notifications as required under 40 CFR 63.11093.
- (f) The facility shall keep records and submit reports as specified in 40 CFR 63.11094 and 63.11095.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 72: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement: 40CFR 63.11092(a), Subpart BBBBBB**

**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 72.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner and/or operator of a facility subject to the emission standard in §63.11088 for gasoline loading racks must conduct a performance test on the vapor processing and collection systems according to either of the following methods;

- test methods and procedures in §60.503, except a reading of 500ppm shall be used to determine the level of leaks to be repaired under §60.503(b), or;

- alternative test methods and procedures in accordance with the alternative test method requirements in §63.7(f).

Upper Permit Limit: 80 milligrams per liter

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 73: Waiver of new performance test requirement by complying with state rule**

**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63.11092(a)(2), Subpart BBBB**

**Item 73.1:**

This Condition applies to Emission Unit: 1-RACKS

**Item 73.2:**

If the facility is operating a gasoline loading rack in compliance with 6 NYCRR Part 229.3(d)(1) which requires the loading rack to meet an emission limit of 80mg/L of gasoline loaded, then the facility may submit a statement by a responsible official of the facility certifying the compliance status of the loading rack in lieu of the test required in §63.11092(a)(1).

**Condition 74: Waiver of new testing requirement due to previous test conducted within 5 prior year period**

**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40CFR 63.11092(a)(3), Subpart BBBB**

**Item 74.1:**

This Condition applies to Emission Unit: 1-RACKS

Permit ID: 9-1464-00090/00065

Facility DEC ID: 9146400090

**Item 74.2:**

If the facility has conducted a performance test on the vapor processing and collection systems within 5 years prior to January 10, 2008, and the test is for the affected facility and is representative of current or anticipated operating processes and conditions, the facility may submit the results of such testing in lieu of the test required under §63.11092(a)(1), provided the testing was conducted using the test methods and procedures in §60.503.

Should USEPA deem the prior test data unacceptable, the facility is still required to meet the requirement to conduct an initial performance test within 180 days of the applicable compliance date in §63.11083.

**Condition 75: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020****Applicable Federal Requirement: 40CFR 63.11092(d), Subpart BBBB****Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 75.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall comply with the requirements in paragraphs (1) through (4).

(1) Operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the operating parameter value for the parameters described in 40CFR 63.11092(b)(1).

(2) In cases where an alternative parameter pursuant to 40CFR 63.11092(b)(1)(iv) or (b)(5)(i) is approved, each owner or operator shall operate the vapor processing system in a manner not to exceed or not to go below, as appropriate, the alternative operating parameter value.

(3) Operation of the vapor processing system in a manner exceeding or going below the operating parameter value, as appropriate, shall constitute a violation of the emission standard in 40CFR 63.11088(a), except as specified in paragraph (4).

(4) For the monitoring and inspection, as required under

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40CFR63.11092 (b)(1)(i)(B)( 2 ) and (b)(1)(iii)(B)( 2 ), malfunctions that are discovered shall not constitute a violation of the emission standard in 40CFR 63.11088(a) if corrective actions as described in the monitoring and inspection plan are followed. The owner or operator must:

- (i) Initiate corrective action to determine the cause of the problem within 1 hour;
- (ii) Initiate corrective action to fix the problem within 24 hours;
- (iii) Complete all corrective actions needed to fix the problem as soon as practicable consistent with good air pollution control practices for minimizing emissions;
- (iv) Minimize periods of start-up, shutdown, or malfunction; and
- (v) Take any necessary corrective actions to restore normal operation and prevent the recurrence of the cause of the problem.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 76: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:40 CFR Part 64**

**Item 76.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

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

**Item 76.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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Volatile Organic Compounds (VOC) emissions are controlled by a John Zink (model S3-AAD-3-90-80-8) VRU. The VRU is guaranteed by the manufacturer to have a VOC emission control rate of 35 milligrams per liter or less of gasoline/liquid product loaded. The VRU was tested on October 13, 2011. The average outlet Total Organic Compounds (TOC) concentration during the 6-hour test was 0.25 milligrams per liter of gasoline/liquid product loaded. The VRU is equipped with a light at the control panel. The VRU is inspected daily during operational hours when Terminal personnel are present to ensure it is working. If the VRU is not in a normal state, then the light goes on at the control panel. The terminal's programmable logic controller (PLC) is programmed to announce VRU status based on hardwired inputs from the VRU control system. The VRU is operational while the light is off.

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

INDICATOR : Carbon regeneration cycle vacuum pressure

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

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

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

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

MONITORING FREQUENCY AND DATA COLLECTION PROCEDURE:

VRU



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

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

The VRU shall be tested once during the term of this permit. The following describes the emission test:

1. The emissions to the atmosphere from the vapor collection system due to the loading of liquid product into gasoline tank trucks are not to exceed 35 milligrams of total organic compounds per liter of gasoline loaded.
2. The emission test shall be performed at least 180 days prior to expiration of this permit. The results of the tests shall be included in the permit renewal application.
3. The permittee shall submit the proposed emission tests protocol to the Agency for approval at least sixty (60) days prior to the test.
4. The permittee shall notify the Department at least two (2) weeks in advance of the date and time of the proposed emission tests so that an observer may be present.
5. The performance test results shall be submitted to the Department's Regional Air Program Manager for review within sixty (60) days of completion of testing. The emissions shall be reported in the following units:
  6. Concentration as measured in parts per million (ppm/ppmv), and ppmvd.
  7. Specific output in mg/l gasoline loaded.
  8. Total output in mass rate of lb/hr, and lb/1000 gallons gasoline loaded.
9. The Department reserves the right to revise the emission standard based on information obtained during the performance testing, and when more stringent controls are required.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 1/30/2016.  
Subsequent reports are due every 6 calendar month(s).

**Condition 77: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable Federal Requirement:6 NYCRR 229.5 (a)**

**Item 77.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

**Item 77.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

**Condition 78: Compliance Certification**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

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

**Item 78.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 3-TANKS

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

**Item 78.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep readily accessible records showing the dimension of the storage vessel and an

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analysis showing the capacity of the storage vessel.  
These records shall be kept on site for the life of the  
storage vessel.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

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**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;

(3) During the period of the emergency the facility owner 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 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 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: 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

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standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

#### STATE ONLY APPLICABLE REQUIREMENTS

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

**Condition 79: Contaminant List**

**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable State Requirement: ECL 19-0301**

**Item 79.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this permit (emission limits, control requirements or compliance monitoring conditions).

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE

CAS No: 0NY100-00-0  
Name: TOTAL HAP

CAS No: 0NY998-00-0  
Name: VOC

**Condition 80: Malfunctions and start-up/shutdown activities**

**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable State Requirement: 6 NYCRR 201-1.4**

**Item 80.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

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(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 30: Air pollution prohibited**  
**Effective between the dates of 08/27/2015 and 08/26/2020**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 30.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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