

Facility DEC ID: 9146400132

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility

Permit ID: 9-1464-00132/00019

Effective Date:

Expiration Date:

Permit Issued To: SUNOCO PARTNERS MARKETING & TERMINALS LP  
 3801 W CHESTER PIKE  
 NEWTOWN SQUARE, PA 19073

Contact: SUNOCO PARTNERS MARKETING & TERMINALS LP  
 1818 MARKET ST STE 1500  
 PHILADELPHIA, PA 19103  
 (419) 698-7442

Facility: SUNOCO TONAWANDA TERMINAL  
 3733 RIVER RD  
 TONAWANDA, NY 14150

Contact: Stanley Gasorowski  
 Sunoco Tonawanda Terminal  
 3733 River Rd  
 Tonawanda, NY 14150  
 (716) 482-4681

Description:

Sunoco Partners Marketing & Terminals L.P. (Sunoco) owns and operates the Tonawanda Terminal located at 3733 River Road, Tonawanda, Erie County, New York. This permit is the Title V Renewal Permit for Sunoco Partners Tonawanda Terminal. There are no changes to the facility. The Tonawanda Terminal is a bulk marketing terminal for distributing gasoline, diesel fuel and ethanol. The facility is subject to 6 NYCRR Part 201-6, Title V Permits, for major stationary sources due to potential emissions of volatile organic compounds (VOC) in excess of 50 tons per year. The facility is also subject to 40 CFR Part 63 BBBBBB National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. Facility emissions include fugitive emissions from the above ground storage tanks and the truck loading operations that are vented through vapor control devices. Sunoco will continue to restrict the emissions of hazardous air pollutants (HAP) to below the 40 CFR Part 63 Subpart R National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) threshold of 10 tons per year of any individual HAP and 25 tons per year of all HAP compounds combined. To accomplish this, facility throughput will be limited to 240,000,000 gallons of gasoline and 96,000,000 gallons of distillates in any 12 consecutive month period.

The terminal facility includes a tank farm to hold product. There are seven (7) storage tanks of different volumes that are in gasoline service, one (1) storage tank in kerosene,

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two (2) storage tanks in distillate service, two (2) storage tanks in additive service, one (1) heating oil storage tank and an oil/water separator.

The terminal facility also includes tank truck loading racks for product distribution, a garage, an oil water separator, a John Zink Vapor Combustion Unit (VCU) and a Jordan Vapor Recovery Unit (VRU) for treatment of vapors collected from loading and receipt of product, rail car unloading rack for ethanol and pipeline manifold for receipt of product and offices. All petroleum products enter the terminal either via pipeline or rail car and are distributed from the facility by tank truck. Ethanol is delivered to the terminal via tanker truck. All product tanks are welded steel above ground tanks contained within an earthen berm. The above ground tanks are inspected daily, weekly, and monthly as part of the standard terminal operating procedures. Tanks are periodically removed from service, cleaned, inspected and repaired as necessary. Underground tanks are used as knock out tanks for the VRU and the pipeline.

A 6 NYCRR Part 212 Air Toxics evaluation was performed for the facility following the procedures in DEC Policy DAR-1: Guidelines for the Evaluation and Control of Ambient Air Contaminants under Part 212 (DAR-1). In accordance with Subpart 212-1.5 (e)(2), the facility's benzene emissions were evaluated since it is a High Toxicity Air Contaminant (HTAC). The maximum modeled impacts were compared with the annual and short-term guideline concentrations for benzene. To determine the worst-case benzene impacts, emission rates were calculated for each storage tank, as well as the truck loading rack, the Vapor Recovery Unit and the Vapor Combustion Unit. The emissions for the storage tanks included an evaluation of the working losses, standing losses, and increased emissions during landing events. For the short-term analysis, Tank #1 had the highest modeled impact of the 6 tanks. Therefore, in the short-term modeling, Tank #1's landing emission rate was modeled simultaneously with the other 5 tanks modeled at their working/breathing emission rates. Since the short-term emissions are driven largely by tank landing events and only one landing event is likely to occur at a time at the facility, the modeled scenario is reasonable and the results are conservative. The results show that the maximum modeled 1-hour impact of benzene, 758.07 $\mu\text{g}/\text{m}^3$ , will not cause or contribute to an exceedance of the short-term guideline concentration (SGC) which is 1300  $\mu\text{g}/\text{m}^3$ .

For the annual analysis, it is assumed that there is only one landing event per tank for the modeled year and the annual tank landing emission rates were derived based this assumption. The maximum modeled annual benzene impact was 0.65 $\mu\text{g}/\text{m}^3$  which is about 5 times the AGC for benzene, 0.13  $\mu\text{g}/\text{m}^3$ . Less than 30 of the 6416 receptors showed modeled exceedances of the AGC and these receptors were located on or immediately adjacent to the property's fence line. A T-BACT evaluation was included in the report.

The modeling was conducted for the RACK-1 emission unit using the emission rate of 10 mg/l VOC for the VRU and an emission rate of 35 mg/l VOC for the VCU and these are the emission rates identified in the permit. The benzene AGC of 0.13  $\mu\text{g}/\text{m}^3$  was established based on a one-in-a-million cancer risk and DAR-1 indicates that the acceptable cancer risk for process emission sources must be less than 10-in-a-million excess cancer risk after the installation of Toxics Best Available Control Technology (T-BACT). Since the maximum modeled annual benzene concentration equates to a 5-in-a-million cancer risk for the emissions from the entire facility, it is within the acceptable risk management threshold.

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Since the annual and short-term benzene emission rates are based upon the assumption occurring that each tank has a single landing event in a year and that there is only one landing event occurring at a time, the facility is limited to a single landing event per tank per year and only one landing event at a time. A second roof landing event during a calendar year may only occur if the tank is required to have the ten year out-of-service inspection conducted as required by 6 NYCRR 613-4.3(b)(2).

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: MARK F PASSUITE  
NYSDEC - REGION 9  
270 MICHIGAN AVE  
BUFFALO, NY 14203-2915

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

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**Notification of Other State Permittee Obligations**

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

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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**

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- 7 2 Relationship of this Permit to Other Department Orders and Determinations
- 7 3 Applications for permit renewals, modifications and transfers
- 8 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 8 5 Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

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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 the expiration of permits for Title V and State Facility Permits.

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**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 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) 851-7165



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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3801 W CHESTER PIKE  
NEWTOWN SQUARE, PA 19073

Facility: SUNOCO TONAWANDA TERMINAL  
3733 RIVER RD  
TONAWANDA, NY 14150

Authorized Activity By Standard Industrial Classification Code:  
3273 - READY-MIXED CONCRETE  
4226 - SPECIAL WAREHOUSING & STORAGE  
5171 - PETROLEUM BULK STATIONS & TERMINALS

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27	28	6 NYCRR 211.2: Visible Emissions Limited
27	29	6 NYCRR 212-1.5 (d): Compliance Certification
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- 35 40 6 NYCRR 230.6 (b): Compliance Certification
- 36 41 6 NYCRR 230.6 (c): Compliance Certification
- 37 42 6 NYCRR 230.6 (d): Compliance Certification
- 37 43 40CFR 60.113(a), NSPS Subpart K: Compliance Certification
- 38 44 40CFR 63.11089, Subpart BBBB: Compliance Certification
- 39 45 40CFR 63.11093, Subpart BBBB: Notifications (63.11093 a-d)
- 39 46 40CFR 63.11094(b), Subpart BBBB: Compliance Certification
- 40 47 40CFR 63.11094(c), Subpart BBBB: Compliance Certification
- 41 48 40CFR 63.11094(d), Subpart BBBB: Compliance Certification
- 42 49 40CFR 63.11094(e), Subpart BBBB: Compliance Certification
- 43 50 40CFR 63.11094(f), Subpart BBBB: Compliance Certification
- 44 51 40CFR 63.11095(a), Subpart BBBB: Compliance Certification
- 45 52 40CFR 63.11095(b), Subpart BBBB: Compliance Certification
- 46 53 40CFR 63.11095(c), Subpart BBBB: Waiver of semi  
annual excess emissions report
- 46 54 40CFR 63.11098, Subpart BBBB: Applicability of MACT General

Provisions

**Emission Unit Level**

- 47 55 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 47 56 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

**EU=1-RACKS**

- 50 57 6 NYCRR 229.3 (d) (1): Compliance Certification
- 51 58 40CFR 63.11088, Subpart BBBB: Compliance Certification
- 52 59 40CFR 63.11092(a), Subpart BBBB: Compliance Certification
- 53 60 40CFR 63.11092(b)(1)(i)('A'), Subpart BBBB: Compliance Certification
- 54 61 40CFR 63.11092(b)(1)(iii), Subpart BBBB: Compliance Certification
- 56 62 40CFR 63.11092(b)(3), Subpart BBBB: Compliance Certification
- 56 63 40CFR 63.11092(b)(4), Subpart BBBB: Compliance Certification
- 57 64 40CFR 63.11092(c), Subpart BBBB: Compliance Certification
- 58 65 40CFR 63.11092(d), Subpart BBBB: Compliance Certification

**EU=1-TANKS**

- 59 66 6 NYCRR 229.3 (a): Internal floating roofs required  
in fixed roof tanks storing petroleum products
- 59 67 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 60 68 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 60 69 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 61 70 40CFR 63.11087, Subpart BBBB: Compliance Certification
- 63 71 40CFR 63.11092(e)(1), Subpart BBBB: Compliance Certification
- 63 72 40CFR 63.11094(a), Subpart BBBB: Compliance Certification

**EU=1-TANKS,Proc=GAS,ES=00012**

- 64 73 40CFR 60.112(a), NSPS Subpart K: Standards for VOCs.

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 66 74 ECL 19-0301: Contaminant List
- 66 75 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities

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- 67 76 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 68 77 6 NYCRR 211.1: Air pollution prohibited

NOTE: \* preceding the condition number indicates capping.

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 3/DRAFT

\*\*\*\* 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)**

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

**Item 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

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pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

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

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

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

**Item 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.

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

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

**Item 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.**



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**Condition 1: Acceptable Ambient Air Quality**  
**Effective for entire length of Permit**

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

**Condition 2: Fees**  
**Effective for entire length of Permit**

**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 for entire length of Permit**

**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

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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 for entire length of Permit**

**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 reports required by the permit.

**Condition 5: Compliance Certification  
Effective for entire length of Permit**

**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

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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, 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

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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 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.

Monitoring Frequency: SEMI-ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 6: Compliance Certification**  
**Effective for entire length of Permit**

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**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 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

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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 – Air Compliance Branch  
 USEPA Region 2 DECA/ACB  
 290 Broadway, 21st Floor  
 New York, NY 10007

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  
 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 1/30/2022.  
 Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective for entire length of Permit**

**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

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Monitoring Description:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 8: Recordkeeping requirements  
Effective for entire length of Permit**

**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 for entire length of Permit**

**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

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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.

**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 for entire length of Permit**

**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



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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 for entire length of Permit**

**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 for entire length of Permit**

**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 for entire length of Permit**

**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 them available to representatives of the department upon request.

**Condition 14: Trivial Sources - Proof of Eligibility**  
**Effective for entire length of Permit**

**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.

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**Condition 15: Requirement to Provide Information**  
**Effective for entire length of Permit**

**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 for entire length of Permit**

**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.

**Condition 17: Required Emissions Tests**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-1.1**

**Item 17.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution

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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 18: Accidental release provisions.  
Effective for entire length of Permit**

**Applicable Federal Requirement:40 CFR Part 68**

**Item 18.1:**

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

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

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

**Condition 19: Recycling and Emissions Reduction  
Effective for entire length of Permit**

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

**Item 19.1:**

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 20: Emission Unit Definition**

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**Effective for entire length of Permit**

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

**Item 20.1:**

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

Emission Unit: 1-MISCT

Emission Unit Description:

Several activities with insignificant emissions include:

2 horizontal petroleum storage tanks (tank 00003 & tank 00019)(10,000 gallons) that contain additive and/or ULSD;

1 horizontal storage tank (tank 00015) that contains heating oil (2,000 gallons);

1 horizontal storage tank (tank 00021) that contains additive (2,500 gallons);

1 horizontal storage tank (tank 00018) that contains additive (1,000 gallon); and an oil/water separator.

**Item 20.2:**

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

Emission Unit: 1-RACKS

Emission Unit Description:

Truck loading rack to load gasoline and distillates. As the fuel is loaded, vapors displaced from the cargo tank pass through a closed vent system to a vapor processing system.

**Item 20.3:**

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

Emission Unit: 1-TANKS

Emission Unit Description:

Seven (7) storage tanks of different volumes contain gasoline or other less volatile products. All tanks have internal floating roofs (IFR): 00001 is 36' dia x 49'h; 00007 is 70' dia x 48' h; 00008 is 120' dia x 48' h; 00009 is 67' dia x 48' h; 00010 is 110' dia x 48' h; 00011 is 110' dia x 48' h and 00012 is 60' dia x 48' h.

There is also 1 fixed roof tank that contains either kerosene or ULSD: tank 00002 – Kerosene or ULSD (351,465)

**Condition 21: Progress Reports Due Semiannually  
Effective for entire length of Permit**

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

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**Item 21.1:**

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 22: Operational Flexibility**  
**Effective for entire length of Permit**

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

**Item 22.1:**

A permit modification is not required for changes that are provided for in the permit. Such changes include approved alternate operating scenarios and changes that have been submitted and approved pursuant to an established operational flexibility protocol and the requirements of this section. Each such change cannot be a modification under any provision of Title I of the Clean Air Act or exceed, or cause the facility to exceed, an emissions cap or limitation in the permit. The facility owner or operator must incorporate all changes into any compliance certifications, record keeping, and/or reporting required by the permit.

**Condition 23: Facility Permissible Emissions**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 23.1:**

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: 0NY100-00-0  
 Name: TOTAL HAP

PTE: 49,900 pounds per year

**Condition 24: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 24.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the

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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 63, Subpart R

**Item 24.2:**

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

**Item 24.3:**

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 24.4:**

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 24.5:**

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 24.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY100-00-0      TOTAL HAP

**Item 24.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Total HAP emissions shall not exceed 25 tons per any consecutive 12-month period. Verification of monthly HAP emissions will be determined via emission calculations using emission factors acceptable to the DEC. The facility must maintain records of the information used to

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calculate emissions for 5 years.

Parameter Monitored: SPECIATED HAP CONTENT

Upper Permit Limit: 24.9 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.

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

**Condition 25: Capping Monitoring Condition  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1**

**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 63, Subpart R

**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:**

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The Compliance Certification activity will be performed for the Facility.

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

**Item 25.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Individual HAP emissions shall not exceed 10 tons per any consecutive 12-month period. Verification of monthly HAP emissions will be determined via emission calculations using emission factors acceptable to the DEC. The facility must maintain records of the information used to calculate emissions for 5 years.

Parameter Monitored: SPECIATED HAP CONTENT

Upper Permit Limit: 9.9 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.

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

**Condition 26:      Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**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 Part 63, Subpart R

**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



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with this and any other state and federal air pollution control requirements, regulations or law.

**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: 0NY998-00-0      VOC

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

To remain below the applicability criteria of the gasoline distribution MACT, the facility shall not exceed a gasoline throughput of 240,000,000 gallons per year during any consecutive 12-month period. This throughput effectively limits VOC's from gasoline handling below the 50 tpy applicability threshold in 40 CFR 63 Subpart R National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals And Pipeline Breakout Stations). Verification of emissions is determined via emission calculations using emission factors acceptable to the DEC. The facility must maintain records of the information used to calculate emissions for 5 years.

Work Practice Type: PROCESS MATERIAL THRUPTUT

Process Material: GASOLINE

Upper Permit Limit: 240,000,000 gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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Subsequent reports are due every 12 calendar month(s).

**Condition 27: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1**

**Item 27.1:**

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

40 CFR Part 63, Subpart R

**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: 0NY998-00-0      VOC

**Item 27.7:**

Compliance Certification shall include the following monitoring:

Permit ID: 9-1464-00132/00019

Facility DEC ID: 9146400132

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall not exceed a distillate throughput of 96,000,000 gallons per year during any consecutive

12-month period. This throughput effectively limits VOC's from gasoline handling below the 50 tpy applicability threshold in 40 CFR 63 Subpart R National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals And Pipeline Breakout Stations). Verification of emissions is determined via emission calculations using emission factors acceptable to the DEC. The facility must maintain records of the information used to calculate emissions for 5 years.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Permit Limit: 96,000,000 gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

**Condition 28: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 28.1:**

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 29: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 212-1.5 (d)**

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 9-1464-00132/00019

Facility DEC ID: 9146400132

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This condition documents the 6 NYCRR Part 212 Air Toxics evaluation performed for the facility following the procedures in DEC Policy DAR-1: Guidelines for the Evaluation and Control of Ambient Air Contaminants under Part 212 (DAR-1). In accordance with Subpart 212-1.5 (e)(2), the facility's benzene emissions were evaluated since it is a High Toxicity Air Contaminant (HTAC). The maximum modeled impacts were compared with the annual and short-term guideline concentrations for benzene. To determine the worst-case benzene impacts, emission rates were calculated for each storage tank, as well as the truck loading rack, the Vapor Recovery Unit and the Vapor Combustion Unit. The emissions for the storage tanks included an evaluation of the working losses, standing losses, and increased emissions during landing events. For the short-term analysis, Tank #1 had the highest modeled impact of the 6 tanks. Therefore, in the short-term modeling, Tank #1's landing emission rate was modeled simultaneously with the other 5 tanks modeled at their working/breathing emission rates. Since the short-term emissions are driven largely by tank landing events and only one landing event is likely to occur at a time at the facility, the modeled scenario is reasonable and the results are conservative. The results show that the maximum modeled 1-hour impact of benzene, 758.07 $\mu\text{g}/\text{m}^3$ , will not cause or contribute to an exceedance of the short-term guideline concentration (SGC), which is 1300  $\mu\text{g}/\text{m}^3$ .

For the annual analysis, it is assumed that there is only one landing event per tank for the modeled year and the annual tank landing emission rates were derived based this assumption. The maximum modeled annual benzene impact was 0.65 $\mu\text{g}/\text{m}^3$  which is about 5 times the AGC for benzene, 0.13  $\mu\text{g}/\text{m}^3$ . Less than 30 of the 6416 receptors showed modeled exceedances of the AGC and these receptors were located on or immediately adjacent to the property's fence line. A T-BACT evaluation was included in the report.

The modeling was conducted for the RACK-1 emission unit using the emission rate of 10 mg/l VOC for the VRU and an emission rate of 35 mg/l VOC for the VCU and these are the emission rates identified in the permit. The benzene AGC of 0.13  $\mu\text{g}/\text{m}^3$  was established based on a one-in-a-million cancer risk and DAR-1 indicates that the acceptable cancer risk for process emission sources must be less than 10-in-a-million excess cancer risk after the installation

Permit ID: 9-1464-00132/00019

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of Toxics Best Available Control Technology (T-BACT). Since the maximum modeled annual benzene concentration equates to a 5-in-a-million cancer risk for the emissions from the entire facility, it is within the acceptable risk management threshold.

Since the annual and short-term benzene emission rates are based upon the assumption that each tank has a single landing event in a year and that there is only one landing event occurring at a time, the facility is limited to a single landing event in a year and only one landing event occurring at a time. A second roof landing event during a calendar year may only occur if the tank is required to have the ten year out-of-service inspection conducted as required by 6 NYCRR 613-4.3(b)(2).

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 30: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 30.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 30.2:**

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 BATCH OF PRODUCT/RAW MATERIAL  
CHANGE

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

Permit ID: 9-1464-00132/00019

Facility DEC ID: 9146400132

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 31: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 31.2:**

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

**Condition 32: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 32.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 32.2:**

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Facility DEC ID: 9146400132

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

**Condition 33: Compliance Certification**  
**Effective for entire length of Permit**

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

**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: 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

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Facility DEC ID: 9146400132

required to be made or maintained in accordance with 6 NYCRR Part 225-3.4, including any calculations performed, for at least two years from date of delivery.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 34: Vapor collection system requirements at a gasoline loading terminal.**

**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 229.3 (d) (2)**

**Item 34.1:**

No person may load gasoline into a gasoline transport vehicle at a gasoline bulk plant, unless the loading terminal is equipped with gasoline vapor collection and vapor control systems operating in good working order. The required vapor collection system consists of:

- hatch loading systems which include a loading arm with a vapor collection system adaptor, a vapor-tight seal between the adaptor and hatch, and a method of preventing drainage of liquid gasoline from the loading arm when it is removed from the hatch or for complete drainage of the loading arm before such removal;
- bottom loading systems which include a connecting pipe or hose equipped with vapor-tight fittings that will automatically and immediately close upon disconnection to prevent release of gasoline vapors;
- a connecting device between the gasoline transport vehicle and the dispensing equipment that interrupts the flow of gasoline to prevent overfilling and spillage;
- a system that prevents the flow of gasoline into gasoline transport vehicles unless the fuel product line and vapor collection system are both connected so as to prevent liquid product leaks and vapor loss.

**Condition 35: Testing and monitoring requirements**

**Effective for entire length of Permit**

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

**Item 35.1:**

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.



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**Condition 36: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 36.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: 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.

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

**Condition 37: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 37.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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Facility DEC ID: 9146400132

**Condition 38: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 230.4 (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: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of a gasoline dispensing site shall maintain records showing the quantity of all gasoline delivered to the site. These records must be kept at the gasoline dispensing site for at least 2 years, and must be made available to the department upon request.

The sum of all gasoline deliveries to a gasoline dispensing site during every 12 consecutive months must be used to determine whether the requirements of Part 230 apply. Once a gasoline dispensing site becomes subject to the requirements of Part 230 because its annual gasoline throughput exceeds an applicability level, subsequent decreases in gasoline deliveries or throughput do not excuse a site owner from compliance with requirements of this Part for that applicability level.

Monitoring Frequency: MONTHLY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 39: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 230.6 (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:

No owner or operator of a gasoline transport vehicle may transport gasoline or allow the vehicle to be filled or emptied in New York State unless the gasoline transport vehicle meets:

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(1) the federal Department of Transportation (DOT) requirements for leak testing as required by 49 CFR 180.407(h); and

(2) the federal DOT requirements for test markings as required by 49 CFR 180.415.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 40: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No operator of a gasoline transport vehicle may transfer gasoline into a gasoline storage tank with a Stage I vapor recovery system unless the vehicle operator:

- (1) connects the Stage I vapor recovery hose before connecting the gasoline delivery hose prior to tank loading;
- (2) ensures that all tank truck vapor return equipment is compatible in size and forms a vapor-tight connection with the vapor balance equipment on the gasoline storage tank;
- (3) ensures that all hoses in the vapor balance system are properly connected;
- (4) ensures that the adapters or couplers that attach the vapor line to the vapor port on the gasoline storage tank have closures that seal upon disconnect;
- (5) ensures that all vapor return hoses, couplers, and adapters used to transfer the gasoline vapor are vapor-tight;

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(6) ensures that all hatches on the tank truck are closed and securely fastened;

(7) ensures that the filling of gasoline storage tanks is limited to unloading from vapor-tight gasoline cargo tanks which meet the requirements in 6 NYCRR 230.6(a)(1) and (2); and

(8) disconnects the gasoline delivery hose before disconnecting the Stage I vapor recovery hose after tank loading.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 41: Compliance Certification**  
**Effective for entire length of Permit**

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

**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: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Vapor leaks from the gasoline transport vehicle or vapor recovery system may not equal or exceed the lower explosive limit (LEL measured as propane) when measured at a distance of 1 inch from the source with a combustible gas detector. The combustible gas detector used for determining compliance with this standard must be properly calibrated and have a minimum range of 0-100 percent of the LEL as propane, have a probe with an external diameter of one quarter inch (0.635 cm), and a response time less than 30 seconds with sampling line and probe attached.

Parameter Monitored: LOWER EXPLOSIVE LIMIT

Upper Permit Limit: 100 percent

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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Facility DEC ID: 9146400132

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

**Condition 42: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Dome covers on a gasoline transport vehicle must not be open while the vehicle is in motion or while gasoline is being transferred into the vehicle, except where gasoline transport vehicles are hatch-loaded in conformance with Subparagraph 229.3(c)(3)(ii) or 229.3(d)(2)(i).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 43: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60.113(a), NSPS Subpart K**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall maintain a record of the petroleum liquid stored, the period of storage, and the maximum true vapor pressure of that liquid during the respective storage period.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Permit ID: 9-1464-00132/00019

Facility DEC ID: 9146400132

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

**Condition 44: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.11089, Subpart BBBBBB**

**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:

Each owner/operator of a bulk gasoline terminal, bulk plant, pipeline breakout station, or pipeline pumping station subject to the provisions of subpart BBBBBB shall perform a monthly leak inspection of all equipment in gasoline service, as defined in §63.11100. For this inspection, detection methods incorporating sight, sound, and smell are acceptable.

A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log book shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility.

Each detection of a liquid or vapor leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in §63.11089(d).

Delay of repair of leaking equipment will be allowed if the repair is not feasible within 15 days. The owner or operator shall provide in the semiannual report specified in §63.11095(b), the reason(s) why the repair was not feasible and the date each repair was completed.

The facility must comply with the requirements of subpart BBBBBB by the applicable dates in §63.11083.

The facility must submit the applicable notifications as required under §63.11093.

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The facility must keep records and submit reports as specified in §63.11094 and 63.11095.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 45: Notifications (63.11093 a-d)**  
**Effective for entire length of Permit**

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

**Item 45.1:**

(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 46: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 46.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 46.2:**

Compliance Certification shall include the following monitoring:

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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 §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.

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

**Condition 47: Compliance Certification  
Effective for entire length of Permit**

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

**Item 47.1:**

The Compliance Certification activity will be performed for the Facility.



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Facility DEC ID: 9146400132

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:

As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in §63.11094(b), the facility may keep an electronic copy of each record which would be instantly available at the terminal. The copy of each record above must be an exact duplicate image of the original paper record with certifying signatures.

For facilities which use a terminal automation system to prevent gasoline cargo tanks that do not have valid cargo tank vapor tightness documentation from loading (e.g., via a card lock-out system), a copy of the documentation must be made available (e.g., via facsimile) for inspection by EPA's or NYSDEC's delegated representatives during the course of a site visit, or within a mutually agreeable time frame.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 48: Compliance Certification**  
**Effective for entire length of Permit**

**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.

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

**Condition 49: Compliance Certification  
Effective for entire length of Permit**

**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

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DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 50: Compliance Certification**  
**Effective for entire length of Permit**

**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); and

- The following information when using a flare under provisions of §63.11(b) to comply with §63.11087(a):

- - Flare design (i.e., steam-assisted, air-assisted, or non-assisted); and

- - all visible emissions (VE) readings, heat content determinations, flow rate measurements, and exit velocity determinations made during the compliance determination required under §63.11092(e)(3).

3) Keep an up-to-date, readily accessible copy of the monitoring and inspection plan required under

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§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 recordkeeping procedures.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 51: Compliance Certification**  
**Effective for entire length of Permit**

**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.

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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 DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 52: Compliance Certification  
Effective for entire length of Permit**

**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

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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 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.

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

**Condition 53: Waiver of semi annual excess emissions report  
Effective for entire length of Permit**

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

**Item 53.1:**

Each bulk gasoline plant or a pipeline pumping station shall submit a semiannual excess emissions report, including the information specified in §63.11095(a)(3) and (b)(5), only for a 6-month period during which an excess emissions event has occurred. If no excess emission events have occurred during the previous 6-month period, no report is required.

**Condition 54: Applicability of MACT General Provisions  
Effective for entire length of Permit**

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Facility DEC ID: 9146400132

**Applicable Federal Requirement:40CFR 63.11098, Subpart BBBBBB**

**Item 54.1:**

Table 3 of subpart BBBBBB lists which parts of the general provisions in subpart A apply to the facility.

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

**Condition 55: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 55.1:**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-RACKS

Emission Point: 00013

Height (ft.): 50

Diameter (in.): 108

NYTMN (km.): 4765.964

NYTME (km.): 179.799

**Condition 56: Process Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 56.1:**

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

Emission Unit: 1-MISCT

Process: MIS

Source Classification Code: 4-06-888-01

Process Description:

-horizontal petroleum storage tank (10,000 gal) - contains additive

-distillate storage tank #2 (vertical fixed roof tank)

-distillate storage tank #11 (vertical fixed roof tank)

-horizontal petroleum storage tank (2,000 gal) - contains heating oil

-horizontal petroleum storage tank (2,500 gal) - contains additive

-underground oil/water separator (used for storm water runoff)

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Emission Source/Control: 00090 - Process

Emission Source/Control: 00091 - Process

Design Capacity: 351,465 gallons

Emission Source/Control: 00093 - Process

Design Capacity: 2,000 gallons

Emission Source/Control: 00094 - Process

Design Capacity: 10,000 gallons

**Item 56.2:**

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

Emission Unit: 1-RACKS

Process: RDS

Source Classification Code: 4-04-002-50

Process Description: Tank trucks are submerged filled with distillates.

Emission Source/Control: 00DLR - Process

**Item 56.3:**

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

Emission Unit: 1-RACKS

Process: RGS

Source Classification Code: 4-04-002-50

Process Description:

Gasoline tank trucks are submerged filled. Vapors are collected through a vapor processing unit.

Emission Source/Control: VPOR1 - Control

Control Type: FLARING

Emission Source/Control: GSRKL - Process

**Item 56.4:**

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

Emission Unit: 1-RACKS

Process: TTV

Source Classification Code: 4-04-001-54

Process Description:

Fugitive emissions from leaks from trucks during loading.

Emission Source/Control: GSRKL - Process

**Item 56.5:**

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

Emission Unit: 1-RACKS

Process: VCL

Source Classification Code: 4-04-001-53



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Process Description: Fugitive emissions from vapor combustor unit.

Emission Source/Control: VPOR1 - Control

Control Type: FLARING

Emission Source/Control: GSRKL - Process

**Item 56.6:**

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

Emission Unit: 1-RACKS

Process: VRU

Source Classification Code: 4-04-001-52

Process Description: Fugitive emissions from vapor recovery unit.

Emission Source/Control: VPOR2 - Control

Control Type: VAPOR COLLECTION (STAGE 1)

Emission Source/Control: GSRKL - Process

**Item 56.7:**

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

Emission Unit: 1-TANKS

Process: FGI

Source Classification Code: 4-04-001-51

Process Description:

Miscellaneous fugitive HAP and VOC emissions from pumps, valves & flanges. All emissions are at insignificant levels.

Emission Source/Control: 00008 - Process

Design Capacity: 3,635,540 gallons

Emission Source/Control: 00009 - Process

Design Capacity: 1,131,220 gallons

Emission Source/Control: 00012 - Process

Design Capacity: 960,918 gallons

Emission Source/Control: 00092 - Process

Design Capacity: 2,931,854 gallons

Emission Source/Control: T0001 - Process

Design Capacity: 331,905 gallons

Emission Source/Control: T0007 - Process

Design Capacity: 1,249,282 gallons

**Item 56.8:**

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

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Emission Unit: 1-TANKS

Process: GAS

Source Classification Code: 4-04-001-60

Process Description:

(6) storage tanks, each having a capacity exceeding 40,000 gallons. Each tank has an internal floating roof.

Emission Source/Control: 00008 - Process

Design Capacity: 3,635,540 gallons

Emission Source/Control: 00009 - Process

Design Capacity: 1,131,220 gallons

Emission Source/Control: 00012 - Process

Design Capacity: 960,918 gallons

Emission Source/Control: 00092 - Process

Design Capacity: 2,931,854 gallons

Emission Source/Control: T0001 - Process

Design Capacity: 331,905 gallons

Emission Source/Control: T0007 - Process

Design Capacity: 1,249,282 gallons

**Condition 57: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 229.3 (d) (1)**

**Item 57.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The gasoline vapor collection and control systems must capture and control gasoline vapors during loading and unloading of gasoline transport vehicles so emissions do not exceed 0.67 pounds per 1,000 gallons of gasoline (80 mg/L) loaded or unloaded. The permittee shall conduct emission tests on the VRU and the VCU to determine the emission rates of total hydrocarbon (THC) and volatile organic compounds (VOC) within 5 years of the last test. The permittee shall submit the proposed emission test

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protocols to the Department for approval at least sixty (60) days prior to the test. 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. The performance test results shall be submitted to the Department's Regional Air Pollution Control Engineer for review within sixty (60) days of completion of testing. The emissions shall be reported in the following units:

- Concentration as measured in parts per million (ppm/ppmv), and ppmvd,
- Specific output in mg/l gasoline loaded, and
- Total output in mass rate of lb/hr, and lb/100 gallons gasoline loaded.

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. An emission test was conducted on the Vapor Recovery Unit (VRU) on July 14, 2016 and the results averaged 2.49 mg/L which demonstrated compliance with the above requirements. An emission test was conducted on the Vapor Combustion Unit (VCU) on July 13, 2016 and the results averaged 20.36 mg/L which demonstrated compliance with the above requirements.

Parameter Monitored: VOC

Upper Permit Limit: 0.67 pounds per 1000 gallons

Reference Test Method: USEPA Reference Method 25

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 58: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

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**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

For gasoline loading rack(s) at a bulk gasoline terminal with a gasoline throughput of 250,000 gallons per day, or greater, the facility owner/operator must:

(a) Equip the loading rack(s) with a vapor collection system designed to collect the TOC vapors displaced from cargo tanks during product loading; and

(b) Reduce emissions of TOC to less than or equal to 80 mg/l of gasoline loaded into gasoline cargo tanks at the loading rack.

Each owner or operator of a bulk gasoline terminal subject to the provisions of this subpart shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) while gasoline vapors are displaced to the vapor processor system.

Upper Permit Limit: 80.0 milligrams per liter

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 59: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0      VOC

**Item 59.2:**

Compliance Certification shall include the following monitoring:

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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

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 60: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.11092(b)(1)(i)('A'), Subpart BBBB**

**Item 60.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0      VOC

**Item 60.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

For each performance test conducted under §63.11092(a)(1), the facility shall determine a monitored operating parameter value for the vapor processing system.

The facility shall install, calibrate, certify, operate, and maintain, according to the manufacturer's

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specifications, a continuous emissions monitoring system (CEMS) while gasoline vapors are displaced to the carbon adsorption system. During the performance test, the facility shall continuously record the organic compound concentration of the exhaust stream to ensure that the emission limit in §63.11088(a) is being met.

Upper Permit Limit: 80 milligrams per liter

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 61: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.11092(b)(1)(iii), Subpart BBBBBB**

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 61.2:**

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 Subpart BBBBBB shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous monitoring system (CMS) while gasoline vapors are displaced to the vapor processing systems.

For each performance test conducted under §63.11092(a)(1) for any thermal oxidation system other than a flare, the owner/operator must determine a monitored operating parameter value and continuously record the operating parameter during the test using one of the following procedures:

(A) A continuous parameter monitoring system (CPMS) capable of measuring temperature shall be installed in the firebox or in the ductwork immediately downstream from the firebox in a position before any substantial heat exchange

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occurs.

(B) As an alternative, the facility may choose to meet the requirements listed below:

(1) The presence of a thermal oxidation system pilot flame shall be monitored using a heat-sensing device, such as an ultraviolet beam sensor or a thermocouple, installed in proximity to the pilot light to indicate the presence of a flame. The heat-sensing device shall send a positive parameter value to indicate that the pilot flame is on, or a negative parameter value to indicate that the pilot flame is off.

(2) Develop and submit to NYSDEC a monitoring and inspection plan that describes the facility's approach for meeting the following requirements:

- The thermal oxidation system shall be equipped to automatically prevent gasoline loading operations from beginning at any time that the pilot flame is absent.

- The facility shall verify, during each day of operation of the loading rack, the proper operation of the assist-air blower, the vapor line valve, and the emergency shutdown system. Verification shall be through visual observation or through an automated alarm or shutdown system that monitors and records system operation. A manual or electronic record of the start and end of a shutdown event may be used.

- The facility shall perform semi-annual preventive maintenance inspections of the thermal oxidation system, including the automated alarm or shutdown system for those units so equipped, according to the recommendations of the manufacturer of the system.

- The monitoring plan developed above shall specify conditions that would be considered malfunctions of the thermal oxidation system during the inspections or automated monitoring performed as stated above, describe specific corrective actions that will be taken to correct any malfunction, and define what the facility would consider to be a timely repair for each potential malfunction.

- The facility shall document any system malfunction, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with

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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 DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 62: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.11092(b)(3), Subpart BBBBBB**

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each performance test conducted under paragraph 40 CFR 63.11092(a)(1), the owner or operator shall determine an operating parameter value based on the parameter data monitored during the performance test, supplemented by engineering assessments and the manufacturer's recommendations.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 63: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63.11092(b)(4), Subpart BBBBBB**

**Item 63.1:**



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The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each instance where an operating parameter value is determined based on the parameter data monitored during a performance test, the owner or operator shall provide for the Administrator's approval the rationale for the selected operating parameter value, monitoring frequency, and averaging time. This includes the data and calculations used to develop the value and a description of why the value, monitoring frequency, and averaging time demonstrate continuous compliance with the emission standard in section 40 CFR 63.11088(a).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 64: Compliance Certification**  
**Effective for entire length of Permit**

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

**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: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For performance tests performed after the initial test required under 40CFR 63.11092(a) of this section, the owner or operator shall document the reasons for any change in the operating parameter value since the previous performance test.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 65: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 65.2:**

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 40CFR 63.11092 (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:

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- (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.

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

**Condition 66: Internal floating roofs required in fixed roof tanks storing petroleum products**  
**Effective for entire length of Permit**

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

**Item 66.1:**

This Condition applies to Emission Unit: 1-TANKS

**Item 66.2:**

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 67: EPA Region 2 address.**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A**

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**Item 67.1:**

This Condition applies to Emission Unit: 1-TANKS

**Item 67.2:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor  
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

**Condition 68: Recordkeeping requirements.  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.7(b), NSPS Subpart A**

**Item 68.1:**

This Condition applies to Emission Unit: 1-TANKS

**Item 68.2:**

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

**Condition 69: Facility files for subject sources.  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.7(f), NSPS Subpart A**

**Item 69.1:**

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This Condition applies to Emission Unit: 1-TANKS

**Item 69.2:**

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 70: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40 CFR 63.11087, Subpart BBBBBB**

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

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

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A facility which owns or operates a gasoline storage tank subject to this subpart and having a capacity equal to or exceeding 75 cubic meters shall equip each internal floating roof gasoline storage tank according to the requirements in §60.112b(a)(1), except for the secondary seal requirements under §60.112b(a)(1)(ii)(B) and the requirements in §60.112b(a)(1)(iv)-(ix). The facility shall comply with the requirements of subpart BBBBBB by the applicable dates specified in §63.11083, except that if a storage vessel with a floating roof is not meeting the requirements of §63.11087(a) it must be in compliance at the first degassing and cleaning activity after January 10, 2011 or by January 10, 2018, whichever is first. The facility must comply with the testing and monitoring requirements specified in §63.11092(e)(1). Finally, the facility shall submit the following information as required in 40 CFR Part 60.115b(a):

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(1) Furnish the Administrator with a report that describes the control equipment and certifies that the control equipment meets the specifications of §60.112b(a)(1) and §60.113b(a)(1). This report shall be an attachment to the notification required by §60.7(a)(3).

(2) Keep a record of each inspection performed as required by §60.113b (a)(1), (a)(2), (a)(3), and (a)(4). Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

(3) If any of the conditions described in §60.113b(a)(2) are detected during the annual visual inspection required by §60.113b(a)(2), a report shall be furnished to the Administrator within 30 days of the inspection. Each report shall identify the storage vessel, the nature of the defects, and the date the storage vessel was emptied or the nature of and date the repair was made.

(4) After each inspection required by §60.113b(a)(3) that finds holes or tears in the seal or seal fabric, or defects in the internal floating roof, or other control equipment defects listed in §60.113b(a)(3)(ii), a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel and the reason it did not meet the specifications of §60.112b(a)(1) or §60.113b(a)(3) and list each repair made.

(5) If a gasoline storage tank is subject to, and in compliance with, the control requirements of 40 CFR Part 60, subpart Kb, the storage tank will be deemed in compliance with this section. This determination must be reported in the Notification of Compliance Status report under §63.11093(b).

These records are to be maintained for a minimum of 5 years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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**Condition 71: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.11092(e)(1), Subpart BBBBBB**

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner/operator subject to the emission standard in §63.11087 for gasoline storage tanks that are equipped with an internal floating roof shall perform inspections of the floating roof system according to the requirements of §60.113b(a) if the facility is complying with option 2(b) of table 1 of subpart BBBBBB. If the facility is complying with option 2(d) of table 1 of subpart BBBBBB, then the facility shall comply with the requirements in §63.1063(c)(1).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 72: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

**Item 72.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator of a bulk gasoline terminal or pipeline breakout station whose storage vessels are subject to the provisions of this subpart shall keep

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records as specified in 40CFR 60.115b if complying with options 2(a), 2(b), or 2(c) in Table 1 to subpart BBBBBB, except records shall be kept for at least 5 years. If complying with the requirements of option 2(d) in Table 1 to subpart BBBBBB, records shall be kept as specified in 40CFR 63.1065.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 73: Standards for VOCs.  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.112(a), NSPS Subpart K**

**Item 73.1:**

This Condition applies to Emission Unit: 1-TANKS

Process: GAS

Emission

Source: 00012

**Item 73.2:**

Petroleum liquids stored at vapor pressures of greater than or equal to 1.5 psia and less than 11.1 psia shall be stored in a vessel with a floating roof and a vapor recovery system.



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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 in 6 NYCRR 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 demonstrate, 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 facility was being properly operated and maintained;
- (3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the 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 any 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 malfunction 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

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

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

#### STATE ONLY APPLICABLE REQUIREMENTS

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

**Condition 74: Contaminant List**  
Effective for entire length of Permit

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

**Item 74.1:**

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

CAS No: 0NY100-00-0

Name: TOTAL HAP

CAS No: 0NY998-00-0

Name: VOC

**Condition 75: Malfunctions and Start-up/Shutdown Activities**  
Effective for entire length of Permit

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

**Item 75.1:**

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- (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.
- (b) The facility owner or operator shall compile and maintain records of all equipment maintenance and start-up/shutdown activities when they are expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when required by a permit condition or upon request by the department. Such reports shall state whether an exceedance occurred and if it was unavoidable, include the time, frequency and duration of the exceedance, 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 monitoring and quarterly reporting requirements need not submit additional reports of exceedances to the department.
- (c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall 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. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. 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, the air contaminants emitted, and the resulting emission rates and/or opacity.
- (d) The department may also require the facility 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 76: CLCPA Applicability**  
**Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 201-6.5 (a)**

**Item 76.1:**

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030

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statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050  
statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

**Condition 77: Air pollution prohibited**  
**Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 77.1:**

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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