



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

Facility Identification Data

Name: NOCO ENERGY CORP

Address: 700 GRAND ISLAND BLVD
TONAWANDA, NY 14150

Owner/Firm

Name: Marathon Petroleum Company LP

Address: CT Corporation System
28 Liberty Street

New York, NY 10005, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

Name: LISA M CZECHOWICZ

Address: NYSDEC - REGION 9
270 MICHIGAN AVE
BUFFALO, NY 14203-2915
Phone: 7168512165

Division of Air Resources:

Name: ALAN J ZYLINSKI

Address: NYSDEC - REGION 9
270 MICHIGAN AVE
BUFFALO, NY 14203-2915
Phone: 7168517130

Permit Description

Introduction

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

Summary Description of Proposed Project

Application for renewal of Air Title V Facility.

Attainment Status

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

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

Criteria Pollutant

Attainment Status



**New York State Department of Environmental Conservation
Permit Review Report**

**Permit ID: 9-1464-00090/00065
Renewal Number: 2
07/22/2019**

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

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

Facility Description:

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

This facility has sixty-eight (68) storage tanks of various capacity and stored material. There are eight (8) vertical storage tanks which store gasoline, aviation gasoline, ethanol, or other liquid products with a vapor pressure greater than 1.5 psia. All eight (8) tanks are equipped with sealed internal floating roofs. Twenty-two (22) tanks store liquid asphalt, fuel oil, reprocessed waste oil, or various products containing regulated air pollutants of low vapor pressure. Thirteen (13) horizontal tanks are used to store volatile organic liquids with a vapor pressure less than 6.8 psia and are subject to NSPS requirements under 40 CFR Part 60, Subpart Kb. These forty three (43) tanks are subject to an operational flexibility plan.

OPERATIONAL FLEXIBILITY PLAN:

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

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

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

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

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

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

Unit "1-Misco", which included the stack associated with the bio-remediation facility, has been removed as an emission unit from the facility Title V Permit, as the bio-cell has been closed).

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

Permit Structure and Description of Operations

The Title V permit for NOCO ENERGY CORP

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

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

NOCO ENERGY CORP is defined by the following emission unit(s):

Emission unit 1CMBST - This unit consists of an emission point for which a facility wide emission cap was obtained to avoid PSD requirements, and eleven (11) exempt sources. Included in the eleven (11) exempt sources are the two hot oil heaters that were installed as part of the asphalt rail unloading. All sources in unit 1-Cmbst can burn reprocessed waste oil/waste oil, no 6 fuel oil, natural gas, no 2 fuel oil and kerosene and bio-fuels.

Process: GAS Emissions from the combustion of natural gas.

Process: NO2 Emissions from the combustion of no 2 fuel oil.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

Process: NO6 Emissions from the combustion of no 6 fuel oil.

Process: WOL Emissions from the combustion of reprocessed waste oil/ waste oil.

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

Process: L1C Loading rack 1 (LR020) bottom loads three products (gasoline, aviation gasoline, and ethanol) into trucks. these vapors are collected in a vapor recovery unit. The vapor recovery unit (VRU) is operated according to the VRU compliance monitoring plan.

Process: L1F Fugitive emissions from leaks through the truck valves during loading of products at loading rack 1 (LR020) while the vapor recovery unit is in use.

Process: L1U Loading rack 1 (LR020) currently bottom loads two (2) products (Jet A and 3,4 dichlorobenzotrifluoride or 3,4 parachlorobenzotrifluoride) into trucks without vapor collection. Any changes in chemicals so loaded will be subject to the operational flexibility protocol in attachment 4.

Process: L2U Loading rack 2 (LR010) top and bottom loads five (5) products (Jet A, ethanol, low sulfur no 2 fuel oil, high sulfur no 2 fuel oil, and kerosene) into trucks.

Process: L3U Loading rack 3 (LR030) currently top loads four (4) products (reprocessed waste oil/waste oil, no 6 fuel oil, liquid asphalt, and monochlorotoluene) into trucks. Any changes in the chemicals so loaded will be subject to the operational flexibility protocol.

Process: L4U Loading rack 4 (LR040) currently top loads monochlorotoluene into railcars. Any changes in the chemicals so loaded will be subject to the operational flexibility protocol.

Process: L5U Loading rack 5 (LR050) top loads motor oils into trucks.

Process: L6U Loading rack 6 (LR060) top loads reprocessed waste oil/waste oil into trucks.

Process: VRU Fugitive emissions resulting from losses from the vapor recovery unit.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

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

Process: FGL Miscellaneous fugitive HAP and VOC emissions from valve, pump, and flange leakage.

Process: LL1 Loading losses from five (5) storage tanks. Each tank is greater than 40,000 gallons in capacity, has a sealed internal floating roof, and holds either gasoline or aviation gasoline, ethanol or other liquid products with a vapor pressure greater than 1.5 psia. The internal floating roofs on these tanks are of steel construction. All tanks are subject to the chemical storage operational flexibility plan.

Process: LL2 Loading losses from three (3) storage tanks. Each tank is greater than 40,000 gallons in capacity, has a sealed internal roof, and holds either gasoline, aviation gasoline, ethanol or other liquid products with a vapor pressure greater than 1.5 psia. The internal floating roofs on these tanks are constructed of aluminum. All tanks are subject to the chemical storage operational flexibility plan.

Process: SL1 Standing losses from five (5) storage tanks. Each tank is greater than 40,000 gallons in capacity, has a sealed internal floating roof, and holds either gasoline or aviation gasoline, ethanol or other liquid products with a vapor pressure greater than 1.5 psia. The internal floating roofs on these tanks are of steel construction. All tanks are subject to the chemical storage operational flexibility plan.

Process: SL2 Standing losses from three (3) storage tanks. Each tank is greater than 40,000 gallons in capacity, has a sealed internal roof, and holds either gasoline, aviation gasoline, ethanol or other liquid products with a vapor pressure greater than 1.5 psia. The internal floating roofs on these tanks are constructed of aluminum. All tanks are subject to the chemical storage operational flexibility plan.

Emission unit 2TANKS - Sixteen (16) storage tanks of different volumes are used to store fuel oil, reprocessed waste oil/waste oil or various chemical products of low vapor pressure. Each tank has a fixed roof. All tanks are covered by the operational flexibility protocol.

Process: LL3 Loading losses from the storage of liquid asphalt, reprocessed waste oil/waste oil, distillate fuel or bio-diesel. All tanks are subject to the chemical storage operational flexibility plan.

Process: SL3 Standing losses from the storage of liquid asphalt, reprocessed waste oil/waste oil, distillate fuel or bio-diesel. All tanks are subject to the chemical storage operational flexibility plan.

organic liquids with a vapor pressure less than 6.8 psia. All tanks in this unit are subject to dimension/capacity record keeping requirements under 40 CFR Part 60 Subpart Kb. These tanks are also



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

covered by the operational flexibility protocol.

Process: LL4 Loading losses from ten (10) storage tanks. The tanks each have a capacity of 20000 gallons and hold reprocessed waste oil/waste oil with a vapor pressure of less than 6.8 psia. All tanks are subject to the chemical storage operational flexibility plan.

Process: LL5 Loading losses from three (3) storage tanks. The tanks each have a capacity of 30000 gallons and hold distillate oil with a vapor pressure of less than 6.8 psia. All tanks are subject to the chemical storage operational flexibility plan.

Process: SL4 Standing storage losses from ten (10) storage tanks. The tanks each have a capacity of 20000 gallons and hold reprocessed waste oil/waste oil with a vapor pressure of less than 6.8 psia. All tanks are subject to the chemical storage operational flexibility plan.

Process: SL5 Standing storage losses from three (3) storage tanks. The tanks each have a capacity of 30000 gallons and hold distillate oil with a vapor pressure of less than 6.8 psia. All tanks are subject to the chemical storage operational flexibility plan.

Emission unit 4TANKS - Six (6) tanks store liquid asphalt, Tank 107, 124, 126, 128, 130 and 215. Each tank has a fixed roof.

Process: LL6 LOADING LOSSES FROM THE STORAGE OF LIQUID ASPHALT.

Process: SL6 STANDING LOSSES FROM THE STORAGE OF LIQUID ASPHALT.

Title V/Major Source Status

NOCO ENERGY CORP is subject to Title V requirements. This determination is based on the following information:

This facility is considered a major source because the facility's potential to emit VOC emissions is greater than the major facility threshold of 50 tons per year.

Program Applicability

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

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



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

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

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

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

SIC Code

Description

4226	SPECIAL WAREHOUSING & STORAGE
5171	PETROLEUM BULK STATIONS & TERMINALS

SCC Codes

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

SCC Code

Description

1-03-004-01	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - RESIDUAL OIL Grade 6 Oil
1-03-005-01	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-03-006-03	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS
1-03-013-02	Less Than 10 MMBtu/Hr EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL INSTITUTIONAL BOILER - LIQUID WASTE Waste Oil
3-05-002-12	MINERAL PRODUCTS MINERAL PRODUCTS - ASPHALT CONCRETE IND PROCESS:MINERAL PROD:ASPHALT:HEATED ASPHALT STORAGE TANKS-DRUM MIX



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

4-04-001-50	BULK TERMINALS/PLANTS BULK TERMINALS BULK TERMINALS:MISCELLANEOUS
4-04-001-51	LOSSES/LEAKS:LOADING RACKS BULK TERMINALS/PLANTS BULK TERMINALS Valves, Flanges, and Pumps
4-04-001-53	BULK TERMINALS/PLANTS BULK TERMINALS Vapor Control Unit Losses
4-04-001-54	BULK TERMINALS/PLANTS BULK TERMINALS Tank Truck Vapor Leaks
4-04-001-60	BULK TERMINALS/PLANTS BULK TERMINALS INTERNAL FLOAT ROOF W/ PRIMARY SEAL-SPECIFY LIQUID:STANDING LOSS
4-04-001-79	BULK TERMINALS/PLANTS BULK TERMINALS BULK TERMINAL:INTERNAL FLOATING ROOF (PRI/SEC SEAL):SPECIFY LIQUID
4-07-146-97	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - FIXED ROOF TANKS - MISCELLANEOUS FIXED ROOF TANKS:MISCELLANEOUS:SPECIFY IN COMMENTS:BREATHING LOSS
4-07-146-98	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - FIXED ROOF TANKS - MISCELLANEOUS FIXED ROOF TANK:MISCELLANEOUS:SPECIFY IN COMMENTS: WORKING LOSS

Facility Emissions Summary

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

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000071-43-2	BENZENE	19990			
000098-82-8	BENZENE, (1-METHYLETHYL)	19990			
000630-08-0	CARBON MONOXIDE				



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

000100-41-4	ETHYLBENZENE	19990
000110-54-3	HEXANE	19990
007439-92-1	LEAD	
001634-04-4	METHYL	19990
	TERTBUTYL	
	ETHER	
000091-20-3	NAPHTHALENE	19990
0NY210-00-0	OXIDES OF	
	NITROGEN	
0NY075-00-0	PARTICULATES	
0NY075-00-5	PM-10	
007446-09-5	SULFUR	199577
	DIOXIDE	
000108-88-3	TOLUENE	19990
0NY100-00-0	TOTAL HAP	49990
0NY998-00-0	VOC	
001330-20-7	XYLENE, M, O	19990
	& P MIXT.	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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 Part 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 Part 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 Part 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 Part 201-6.4(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

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 Part 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 Part 201-6.4(g)

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V 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 Part 201-6.4(i)

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 2 01-6.7 and Part 621.

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

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

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

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

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

Item 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.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

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

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

Item B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

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

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
---	-------------------	------------------	--------------------------



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

--				
FACILITY	ECL 19-0301	79		Powers and Duties of the Department with respect to air pollution control
3-TANKS	40CFR 60-Kb.116b(b)	78		NSPS for volatile organic liquid storage vessels- monitoring of operations
1-RACKS	40CFR 63- BBBBBB.11083(b)	70		Compliance date for an existing affected source
1-RACKS	40CFR 63-BBBBBB.11088	71		NESHAP for Area Source Bulk Gasoline Terminals - Requirements for Loading Racks
1-RACKS	40CFR 63- BBBBBB.11092(a)	72		NESHAP for Area Source Gasoline Bulk Terminals - Testing and Monitoring Provisions
1-RACKS	40CFR 63- BBBBBB.11092(a)	73		Testing and monitoring provisions - gasoline loading racks
1-RACKS	40CFR 63- BBBBBB.11092(a)	74		Testing and monitoring requirements - Gasoline loading racks
FACILITY	40CFR 63- BBBBBB.11092(b)	45		NESHAP for Area Source Gasoline Bulk Terminals - Testing and Monitoring Provisions
1-RACKS	40CFR 63- BBBBBB.11092(d)	75		NESHAP for Area Source Gasoline Bulk Terminals - Operation of Vapor Processing System
FACILITY	40CFR 63-BBBBBB.11093	46		NESHAP for Area Source Gasoline Bulk Terminals - Notifications
FACILITY	40CFR 63- BBBBBB.11094(b)	47		NESHAP for Area Source Gasoline Bulk Terminals - Recordkeeping
FACILITY	40CFR 63- BBBBBB.11094(d)	48		NESHAP for Area Source Bulk Gasoline Terminals - Recordkeeping
FACILITY	40CFR 63- BBBBBB.11094(e)	49		NESHAP for Area Source Gasoline Bulk Terminals - Recordkeeping
FACILITY	40CFR 63- BBBBBB.11094(f)	50		NESHAP for Area Source Gasoline Bulk Terminals - Recordkeeping
FACILITY	40CFR 63-	51		NESHAP for Area



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

	BBBBBB.11095(a)		Source Gasoline Bulk Terminals - Reporting NESHAP for Area
FACILITY	40CFR 63- BBBBBB.11095(b)	52	Source Gasoline Bulk Terminals - Reporting
FACILITY	40CFR 63-JJJJJJ	53	National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources
1-CMBST	40CFR 63- JJJJJJ.11194(b)	56	ICI Boiler Area Source NESHAP - Existing Source
1-RACKS	40CFR 64	76	COMPLIANCE ASSURANCE MONITORING
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	80	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 54	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4(a)(4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4(a)(7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4(a)(8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4(c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4(c)(2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4(c)(3)(ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4(d)(4)	22	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4(e)	6	Compliance Certification



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

FACILITY	6NYCRR 201-6.4(f)	23	Operational Flexibility
FACILITY	6NYCRR 201-6.4(f)(6)	17	Off Permit Changes
FACILITY	6NYCRR 201-7	24	Federally Enforceable Emissions Caps
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	30	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	81	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 212.3(a)	31	General Process Emission Sources - emissions from existing emission sources
1-RACKS	6NYCRR 212.4(a)	57	General Process Emission Sources - emissions from new sources and/or modifications
FACILITY	6NYCRR 212.4(b)	32	New processes
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2(f)	33	Sulfur-in-Fuel Limitations
FACILITY	6NYCRR 225-1.2(i)	34	Sulfur-in-Fuel Limitations
FACILITY	6NYCRR 225-2.4	35	Eligibility to burn waste fuels A and B.
FACILITY	6NYCRR 225-2.6(c)	36	Sale or use of waste fuels A and B.
FACILITY	6NYCRR 225-2.6(d)	37	Sale or use of waste fuels A and B.
FACILITY	6NYCRR 225-3.3(a)	38	RVP Limitation - May 1st through September 15th
FACILITY	6NYCRR 225-3.4(a)	39	Gasoline records to be maintained
FACILITY	6NYCRR 225-3.4(b)	40	Records to be provided with distributed gasoline
FACILITY	6NYCRR 225-3.4(d)	41	Maintenance and availability of gasoline records
1-CMBST	6NYCRR 227-1.3(a)	55	Smoke Emission Limitations.
FACILITY	6NYCRR 229.3(a)	42	Petroleum fixed roof tank control requirements
1-RACKS	6NYCRR 229.3(d)	58	Gasoline loading terminals
FACILITY	6NYCRR 229.4(a)	43	Testing and monitoring
1-TANKS	6NYCRR 229.5(a)	77	Recordkeeping - petroleum liquid fixed roof storage tanks



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

FACILITY	6NYCRR 229.5(c)	44	Recordkeeping - gasoline loading terminals
1-RACKS	6NYCRR 230.2(a)(1)	59	Stage I Requirements
1-RACKS	6NYCRR 230.2(f)	60	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.4(a)(1)	61	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.4(a)(2)	62	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.4(a)(3)	63	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.4(b)	64	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.4(e)	65	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.4(f)	66	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.4(g)	67	Gasoline transport vehicles - prohibitions and requirements.
1-RACKS	6NYCRR 230.6(a)	68	Gasoline transport vehicles - recordkeeping and reporting.
1-RACKS	6NYCRR 230.6(b)	69	Gasoline transport vehicles - recordkeeping and reporting.

Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

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

6 NYCRR 200.7

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

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

6 NYCRR 201-6.4 (a) (7)

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

6 NYCRR 201-6.4 (a) (8)

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

monitoring, as necessary.

6 NYCRR 201-6.4 (c)

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

6 NYCRR 201-6.4 (c) (2)

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

6 NYCRR 201-6.4 (c) (3) (ii)

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

6 NYCRR 201-6.4 (d) (4)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 201-6.4 (f) (6)

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

6 NYCRR 202-1.1

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

6 NYCRR 202-2.1

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

6 NYCRR 202-2.5

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065
Renewal Number: 2
07/22/2019

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

In addition to Title V, NOCO ENERGY CORP has been determined to be subject to the following regulations:

40 CFR 60.116b (b)

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

40 CFR 63.11083 (b)

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

40 CFR 63.11088

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

- (a) The facility shall meet each emission limit and management practice in Table 2 of Subpart BBBBBB that apply to the facility.
- (b) As an alternative for railcar cargo tanks to the requirements specified in Table 2 of Subpart BBBBBB, the facility may comply with the requirements specified in 40 CFR 63.422(e).
- (c) The facility shall comply with the requirements of this subpart by the applicable dates specified in 40 CFR 63.11083.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

(d) The facility shall comply with the applicable testing and monitoring requirements specified in 40 CFR 63.11092.

(e) The facility shall submit the applicable notifications as required under 40 CFR 63.11093.

(f) The facility shall keep records and submit reports as specified in 40 CFR 63.11094 and 63.11095.

40 CFR 63.11092 (a)

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).

40 CFR 63.11092 (a) (2)

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

40 CFR 63.11092 (a) (3)

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

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

40 CFR 63.11092 (b) (1) (i) ('B')

This condition states the monitoring requirements for facilities that do not use a CEM at an affected facility

40 CFR 63.11092 (d)



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065
Renewal Number: 2
07/22/2019

Requirements for operation of vapor processing system.

40 CFR 63.11093

(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.

40 CFR 63.11094 (b)

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.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

40 CFR 63.11094 (d)

If the facility is subject to the equipment leak 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.

40 CFR 63.11094 (e)

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.

40 CFR 63.11094 (f)

The facility shall keep the following records:

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



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

40 CFR 63.11095 (a)

Each facility with a bulk terminal or pipeline breakout station that is subject to control requirements of subpart BBBB 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 BBBB, 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 BBBB, the information specified in §63.1066.
- 2) For loading racks, each loading of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.
- 3) For equipment leak inspections, the number of equipment leaks not repaired within 15 days after detection.
- 4) For storage vessels complying with §63.11087(b) after January 10, 2011, the storage vessel's Notice of Compliance Status information can be included in the next semi-annual compliance report in lieu of filing a separate Notification of Compliance Status report under §63.11093.

40 CFR 63.11095 (b)

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

- 1) Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the facility failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.
- 2) Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tan 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;



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

- the reasons for the delay of repair; and
- the date of successful repair.

40 CFR 63.11194 (b)

This condition states the date before which a source is considered existing for the industrial, commercial, and institutional area source boiler MACT.

40 CFR Part 63, Subpart JJJJJ

This regulation covers facilities that own or operate an industrial, commercial, or institutional boiler as defined in §63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in §63.2, except as specified in §63.11195.

40 CFR Part 64

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

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

6 NYCRR 201-6.4 (f)

This section describes the operational flexibility protocol proposed by the facility. The protocol will allow the facility owner or operator to make certain changes at the facility without the need for a permit modification. Changes made pursuant to the protocol must be approved by the Department, and will be rolled into the permit during the next renewal or modification.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 212.3 (a)



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

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

6 NYCRR 212.4 (a)

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

6 NYCRR 212.4 (b)

212.4(b) establishes a limit on gas and liquid particulates.

6 NYCRR 225-1.2 (f)

Sulfur-in-fuel limitations for the purchase of #2 heating oil on or after July 1, 2012.

6 NYCRR 225-1.2 (i)

Sulfur-in-fuel limitation for the firing of waste oil on or after July 1, 2014.

6 NYCRR 225-2.4

This regulation sets the limits for the compounds that may be in Waste Fuel A. These are: PCB less than 50 parts per million (ppm); Total Halogens less than 1,000 ppm; Sulfur less than the limits in Part 225-1; Lead less than 250 ppm; and a minimum gross heat content of 125,000 BTU/Gallon.

6 NYCRR 225-2.6 (c)

This regulation requires that Waste Fuels A or B be sold only to those facilities permitted to handle or use these fuels.

6 NYCRR 225-2.6 (d)

This regulation requires that Waste Fuels A or B be burned only to those facilities permitted to handle burn these fuels.

6 NYCRR 225-3.3 (a)

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

6 NYCRR 225-3.4 (a)

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

of the amount of gasoline delivered to or distributed from the facility.

6 NYCRR 225-3.4 (b)

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

6 NYCRR 225-3.4 (d)

This regulation requires the facility to maintain records that may be required under 6 NYCRR Part 225-3.4(a), (b) or (c). These records must be made available to the commissioner or his or her representative, for inspection during normal business hours, at the location from which the gasoline was delivered, sold, or dispensed.

6 NYCRR 227-1.3 (a)

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

6 NYCRR 229.3 (a)

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

6 NYCRR 229.3 (d)

This rule contains the emission limits and operating requirements for gasoline loading terminals (ie: those facilities with an average daily throughput of gasoline greater than 20,000 gallons).

6 NYCRR 229.4 (a)

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

6 NYCRR 229.5 (a)

This regulation requires that a record be of the capacities, in gallons, of petroleum liquid storage tanks subject to the control requirements for petroleum fixed roof and petroleum liquid external floating roof tanks under Part 229.3, be maintained at the facility for a period of 5 years.

6 NYCRR 229.5 (c)

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

6 NYCRR 230.2 (a) (1)

This provision requires the gasoline storage tank to be equipped with vapor recovery equipment between the tank and truck.



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

6 NYCRR 230.2 (f)

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

6 NYCRR 230.4 (a) (1)

Transport vehicle must be able to sustain the specified pressure change during loading and unloading of gasoline.

6 NYCRR 230.4 (a) (2)

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

6 NYCRR 230.4 (a) (3)

The gasoline transport vehicle must display "NYSDEC" and the date of passing pressure-vacuum test using 2" letters/numbers and located near the US DOT certificate plate.

6 NYCRR 230.4 (b)

Gasoline Transport vehicles must be pressure-vacuum tested annually using an acceptable method to insure vapor tight integrity. USEPA has published Method 27.

6 NYCRR 230.4 (e)

Conditions under this rule citation specify the limits on leakage from the gasoline transport vehicle and vapor collection and control system during loading or unloading.

6 NYCRR 230.4 (f)

Gasoline transport vehicles must be loaded in accordance to the pressures in the regulation to insure vapor tight integrity.

6 NYCRR 230.4 (g)

Dome covers on gasoline transport vehicles must be closed while vehicle is being loaded, unloaded or in motion.

6 NYCRR 230.6 (a)

Owner of any gasoline transport vehicle must maintain records of pressure-vacuum testing and repairs. This rule specifies the types of records.

6 NYCRR 230.6 (b)

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



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065
Renewal Number: 2
07/22/2019

6 NYCRR Subpart 201-7

This regulation sets forth an emission cap that cannot be exceeded by the facility. In this permit that cap is 100 tons of SO₂ (Sulfur Dioxide), 10 tons per year individually and 25 tons per year totally of HAPs (Hazardous Air Pollutants).

Compliance Certification
Summary of monitoring activities at NOCO ENERGY CORP:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

3-TANKS	78	record keeping/maintenance procedures
1-RACKS	71	record keeping/maintenance procedures
1-RACKS	72	intermittent emission testing
FACILITY	45	record keeping/maintenance procedures
1-RACKS	75	record keeping/maintenance procedures
FACILITY	47	record keeping/maintenance procedures
FACILITY	48	record keeping/maintenance procedures
FACILITY	49	record keeping/maintenance procedures
FACILITY	50	record keeping/maintenance procedures
FACILITY	51	record keeping/maintenance procedures
FACILITY	52	record keeping/maintenance procedures
1-RACKS	76	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	25	work practice involving specific operations
FACILITY	26	work practice involving specific operations
FACILITY	27	work practice involving specific operations
FACILITY	28	work practice involving specific operations
FACILITY	29	work practice involving specific operations
FACILITY	7	record keeping/maintenance procedures
FACILITY	31	work practice involving specific operations
FACILITY	32	record keeping/maintenance procedures
FACILITY	33	work practice involving specific operations
FACILITY	34	work practice involving specific operations
FACILITY	35	record keeping/maintenance procedures
FACILITY	38	work practice involving specific operations
FACILITY	39	record keeping/maintenance procedures
FACILITY	40	record keeping/maintenance procedures
FACILITY	41	record keeping/maintenance procedures
1-CMBST	55	monitoring of process or control device parameters as surrogate
1-RACKS	58	monitoring of process or control device parameters as surrogate
1-TANKS	77	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
1-RACKS	61	monitoring of process or control device parameters as surrogate
1-RACKS	64	intermittent emission testing
1-RACKS	66	monitoring of process or control device parameters as surrogate
1-RACKS	68	record keeping/maintenance procedures
1-RACKS	69	record keeping/maintenance procedures



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 9-1464-00090/00065

Renewal Number: 2

07/22/2019

Basis for Monitoring

Most of the monitoring requirements contained in this permit are based on specific monitoring methods and observations as prescribed in the applicable rules. Facility specific monitoring conditions were written to assure that reliable information is obtained representing the facility's compliance status for the following issues:

HAPs (Hazardous Air Pollutants)

Specific conditions were written to limit the HAP emissions from NOCO Energy to less than 10 tons per year individually and 25 tons per year totally to prove that the facility emissions remain below the applicability of the National Emission Standards for Gasoline Distribution Facilities. This will be accomplished by monitoring the HAP emissions on a 12-month rolling total basis. In addition, the facility has accepted throughput limitations for gasoline and distillate oil.

VOCs (Volatile Organic Compounds)

NOCO Energy's vapor recovery unit (VRU) collects and controls volatile organic compounds (VOC) and is guaranteed by the manufacturer to have a VOC emission control rate of 35 milligrams per liter or less of the gasoline/liquid product loaded. Also, once per permit term the VRU is emission tested.

CAM (Compliance Assurance Monitoring)

A CAM Plan for the VRU is in effect for this facility.

This facility is subject to portions of 40 CFR Part 63 Subpart BBBBBB—National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities. This subpart establishes national emission limitations and management practices for hazardous air pollutants (HAP) emitted from area source gasoline distribution bulk terminals, bulk plants, and pipeline facilities. This subpart also establishes requirements to demonstrate compliance with the emission limitations and management practices.