

Facility DEC ID: 1282001549

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
 Permit ID: 1-2820-01549/00004  
 Effective Date: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Permit Issued To: Equilon Enterprises LLC  
 910 Louisiana St  
 Houston, TX 77002

Contact: Michael J Sullivan  
 SHELL LONG ISLAND TERMINAL  
 74 EAST AVE  
 LAWRENCE, NY 11559  
 (516) 371-4780

Facility: SHELL OIL PRODUCTS US - LONG ISLAND TERMINAL  
 74 EAST AVE  
 LAWRENCE, NY 11559

Contact: Michael J Sullivan  
 SHELL LONG ISLAND TERMINAL  
 74 EAST AVE  
 LAWRENCE, NY 11559  
 (516) 371-4780

Description:

Shell Long Island Terminal is a gasoline, distillate, and biodiesel loading facility. Emission Unit T-TANKS includes ten (10) internal floating roof tanks; five (5) of these tanks store gasoline and five (5) tanks store ethanol or gasoline. Volatile organic compounds (VOC) emissions from this unit are limited to 29.57 tons per year. Emission Unit U-00001 includes 16 truck loading bays and a vapor recovery unit (VRU) for the control of emissions from gasoline, distillate, and biodiesel loading racks. VOC emissions from this unit are limited to 53.43 tons per year. Emissions Units U-00012 and U-00013 include groundwater remediation/treatment systems for reducing VOCs and oil contents in groundwater and contact water. The facility shall not exceed annual throughputs of 585 million gallons of gasoline, 600 million gallons of total ethanol and gasoline, and 182 million gallons of distillate oil and biodiesel fuel during any twelve month rolling average.

This is a renewal of the Title V permit. The overall facility process has not changed and there are no new contaminants nor controls to mention. Modifications stem from a change in DEC regulatory requirements that make previous exempt sources non-exempt. A new emission unit (S-TANKS) has been created to add previously exempt tanks to the permit.

For this renewal, air quality dispersion modeling was conducted for emissions of benzene, which is a high toxicity air contaminant. The results of the modeling demonstrated that the concentration of benzene beyond the fence line are below the annual guidance concentration (AGC) and short-term guidance concentration (SGC). Thus, the facility is in compliance with Part 212.

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The potential climate impacts of this project were evaluated in accordance with the requirements of the Climate Leadership and Community Protection Act (CLCPA). The potential to emit of greenhouse gases (including both direct and upstream emissions) from the facility is 138 tons per year of carbon dioxide equivalents (CO<sub>2</sub>e) on a 20-year global warming potential basis.

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: SHERRI L AICHER  
NYSDEC - REGION 1 SUNY @ STONY BROOK  
50 CIRCLE RD  
STONY BROOK, NY 11790-3409

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

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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- 6 4 Permit modifications, suspensions or revocations by the Department

**Facility Level**

- 6 5 Submission of application for permit modification or renewal -  
REGION 1 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.

**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.

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**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 1 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409  
(631) 444-0365

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

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: Equilon Enterprises LLC  
910 Louisiana St  
Houston, TX 77002

Facility: SHELL OIL PRODUCTS US - LONG ISLAND TERMINAL  
74 EAST AVE  
LAWRENCE, NY 11559

Authorized Activity By Standard Industrial Classification Code:  
5171 - PETROLEUM BULK STATIONS & TERMINALS

Permit Effective Date:

Permit Expiration Date:

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- 9 3 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
- 9 4 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
- 9 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 12 6 6 NYCRR 201-6.4 (e): Compliance Certification
- 14 7 6 NYCRR 202-2.1: Compliance Certification
- 14 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 14 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 16 10 6 NYCRR 200.7: Maintenance of Equipment
- 16 11 6 NYCRR 201-1.7: Recycling and Salvage
- 16 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
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- 17 16 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 17 17 6 NYCRR 202-1.1: Required Emissions Tests
- 18 18 40 CFR Part 68: Accidental release provisions.
- 18 19 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 18 20 6 NYCRR Subpart 201-6: Emission Unit Definition
- 20 21 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 20 22 6 NYCRR 201-6.4 (f): Operational Flexibility
- 20 23 6 NYCRR 202-1.2: Notification
- 20 24 6 NYCRR 202-1.4: Separate emission test by the commissioner
- 21 25 6 NYCRR 202-1.5: Prohibitions
- 21 26 6 NYCRR 202-2.4 (a) (3): Statement dates for emissions statements.
- 21 27 6 NYCRR 211.2: Visible Emissions Limited
- 21 28 6 NYCRR 225-3.3 (a): Compliance Certification
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- 23 31 6 NYCRR 225-3.4 (d): Compliance Certification
- 24 32 6 NYCRR 229.3 (e) (2) (v): Compliance Certification
- 24 33 6 NYCRR 229.4 (a): Compliance Certification
- 25 34 6 NYCRR 229.5 (c): Compliance Certification
- 26 35 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 26 36 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 26 37 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 27 38 40CFR 63.420(a)(2), Subpart R: Compliance Certification
- 27 39 40CFR 63.420(a)(2), Subpart R: Compliance Certification
- 28 40 40CFR 63.420(a)(2), Subpart R: Compliance Certification
- 29 41 40CFR 63.420(a)(2), Subpart R: Compliance Certification
- 29 42 40CFR 63.11089, Subpart BBBB: Compliance Certification
- 31 **Emission Unit Level**
- 31 43 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit



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- 32 44 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
- 35 45 6 NYCRR 201-7.1: Emission Unit Permissible Emissions
- EU=S--TANK,EP=TK019**
- 36 46 6 NYCRR 229.1 (b) (2) (iv): VOL storage tanks less than 10000 gallons
- EU=S--TANK,EP=TK020**
- 36 47 6 NYCRR 229.1 (b) (2) (iv): VOL storage tanks less than 10000 gallons
- EU=S--TANK,EP=TK021**
- 36 48 6 NYCRR 229.1 (b) (2) (iv): VOL storage tanks less than 10000 gallons
- EU=S--TANK,EP=TK022**
- 36 49 6 NYCRR 229.1 (b) (2) (iv): VOL storage tanks less than 10000 gallons
- EU=S--TANK,EP=TK028**
- 37 50 6 NYCRR 229.1 (b) (2) (iv): VOL storage tanks less than 10000 gallons
- EU=T-TANKS**
- 37 \*51 6 NYCRR 201-7.1: Capping Monitoring Condition
- 38 52 40CFR 63.11092(e)(1), Subpart BBBB: Compliance Certification
- EU=T-TANKS,Proc=VOL**
- 39 53 6 NYCRR 229.3 (e) (1): Compliance Certification
- EU=U-00001**
- 39 \*54 6 NYCRR 201-7.1: Capping Monitoring Condition
- 41 55 6 NYCRR 229.3 (d): Compliance Certification
- 41 56 6 NYCRR 229.3 (d) (1): Compliance Certification
- 42 57 40CFR 60.502(e), NSPS Subpart XX: Compliance Certification
- 43 58 40CFR 60.502(h), NSPS Subpart XX: Compliance Certification
- 44 59 40CFR 60.502(j), NSPS Subpart XX: Compliance Certification
- 45 60 40CFR 60.505(b), NSPS Subpart XX: Compliance Certification
- 46 61 40CFR 60.505(c), NSPS Subpart XX: Compliance Certification
- 47 62 40CFR 63.11088, Subpart BBBB: Compliance Certification
- 48 63 40CFR 63.11092(a), Subpart BBBB: Compliance Certification
- EU=U-00001,Proc=GAS**
- 49 64 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 49 65 40CFR 60.502(b), NSPS Subpart XX: Compliance Certification
- EU=U-00001,EP=00001**
- 50 66 40CFR 60.502(f), NSPS Subpart XX: Truck loading compatibility
- 50 67 40CFR 60.502(g), NSPS Subpart XX: Vapor collection connection required
- 50 68 40CFR 60.502(i), NSPS Subpart XX: Vent pressure limit

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**EU=U-00012**

- 51 69 6 NYCRR Part 212: Compliance Certification
- 51 70 6 NYCRR Part 212: Compliance Certification
- 52 71 6 NYCRR Part 212: Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

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- 55 72 ECL 19-0301: Contaminant List
- 56 73 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 56 74 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 57 75 6 NYCRR 211.1: Air pollution prohibited
- 57 76 6 NYCRR 211.1: Compliance Demonstration

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)**  
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

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planned changes or anticipated noncompliance does not stay any permit condition.

**Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)**

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

**Item G: Property Rights - 6 NYCRR 201-6.4 (a) (6)**

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

**Item H: Severability - 6 NYCRR 201-6.4 (a) (9)**

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

**Item I: Permit Shield - 6 NYCRR 201-6.4 (g)**

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

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

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- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the department pursuant to the provisions of section 201- 6.6 of this Subpart.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

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

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality  
Effective 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.

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**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 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**

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**Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)****Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.
- (4) This permit may contain a more stringent reporting



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

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

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

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

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

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

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

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

**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.

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

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

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

Chief – 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 1 Headquarters  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409

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)

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Reports due 30 days after the reporting period.  
 The initial report is due 1/30/2026.  
 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  
 Monitoring Description:

Emission statements are to be electronically submitted and are required by any new or renewed Title V permits issued after January 1, 2021. The first reporting year under this provision will be the reporting year in which the permit was issued or reporting year 2025 (emission statements due in 2026), whichever is earlier.

Monitoring Frequency: ANNUALLY  
 Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 0 days after the reporting period.  
 Subsequent reports are due every 12 calendar month(s).

**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.

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**Item 9.2**

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

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

**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**

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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 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)**

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**Item 14.1:**

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

**Condition 15: Requirement to Provide Information  
Effective 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:**

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

**Condition 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  
Effective for entire length of Permit**

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



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**Item 20.1:**

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

Emission Unit: S--TANK

Emission Unit Description:

Five (5) small additive tanks (19, 20, 21, 22, and 28).

**Item 20.2:**

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

Emission Unit: T-TANKS

Emission Unit Description:

Ten (10) tanks store gasoline and denatured ethanol. Five (5) tanks are used to store gasoline and five (5) tanks to store gasoline or ethanol.

Building(s): 10  
11  
2  
3  
4  
5  
6  
7  
8  
9

**Item 20.3:**

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

Emission Unit: U-00001

Emission Unit Description:

Truck loading rack with 16 bays (lanes), 6 of which are used to load gasoline only, 6 to load distillate and biodiesel, and 4 to load gasoline, distillate and biodiesel. A VRU is used to control emissions during loading of gasoline and bottom loading of distillate and biodiesel from the truck rack.

Building(s): 1

**Item 20.4:**

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

Emission Unit: U-00012

Emission Unit Description:

Air Stripper.

Building(s): 12

**Item 20.5:**

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

Emission Unit: U-00013

Emission Unit Description:

Oil/Water separators.

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Building(s): 13

**Condition 21: Progress Reports Due Semiannually  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)****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: Notification  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 202-1.2****Item 23.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 24: Separate emission test by the commissioner  
Effective for entire length of Permit****Applicable Federal Requirement:6 NYCRR 202-1.4**

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**Item 24.1:**

The commissioner may conduct separate or additional emission tests on the behalf of the State to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

**Condition 25: Prohibitions**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-1.5**

**Item 25.1:**

No person shall conceal an emission by the use of air or other gaseous diluents to achieve compliance with an emission standard which is based on the concentration of a contaminant in the gases emitted through a stack.

**Condition 26: Statement dates for emissions statements.**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-2.4 (a) (3)**

**Item 26.1:**

This facility is required to submit an annual emission statement electronically and these emissions statements must be submitted to the department as per the following schedule:

- (i) March 15th of each year for facilities with three or fewer processes listed in their Title V permit:
- (ii) March 31st of each year for facilities with four to six processes listed in their Title V permit:
- (iii) April 15th of each year for facilities with 7 to 12 processes listed in their Title V permit:
- (iv) April 30th of each year for facilities with 13 or more processes listed in their Title V permit.

**Condition 27: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 27.1:**

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

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

**Item 28.1:**

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The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**

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

Reference Test Method: EPA

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

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

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 29.2:**

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

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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: UPON REQUEST BY REGULATORY AGENCY

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

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

**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: 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: UPON REQUEST BY REGULATORY AGENCY

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

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

**Item 31.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 31.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Applicable Federal Requirement:6 NYCRR 229.3 (e) (2) (v)**

**Item 32.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Storage tanks subject to this requirement, with a capacity of less than 10,000 gallons, must be equipped with a conservation vent. The permittee shall visually inspect the conservation vent on an annual basis to ensure proper operation. Inspection records must be maintained on site for a period of 5 years. Records shall contain date(s) of all inspections, inspection findings, and a listing of all equipment repairs or replacements.

Monitoring Frequency: ANNUALLY

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 229.4 (a)**

**Item 33.1:**

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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:

The owner and/or operator of a vapor collection and control system must follow notification requirements, protocol requirements and test procedures of 6 NYCRR Part 202 for testing and monitoring to determine compliance with the emission limits and control requirements required. Depending upon conditions at a test site, one of the following test methods from Appendix A of 40 CFR part 60 (see table 1, section 200.9) must be used to determine volatile organic compound (VOC) concentrations of a gas stream at the inlet and outlet of a control device:

- (1) Method 18, Measurement of Gaseous Organic Compound Emissions by Gas Chromatography.
- (2) Method 25, Determination of Total Gaseous Organic Emissions as Carbon.
- (3) Method 25A, Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer.
- (4) Methods not listed above must be approved in advance by the department's representative and the United States Environmental Protection Agency.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 34: Compliance Certification  
Effective for entire length of Permit**

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

**Item 34.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 35: EPA Region 2 address.  
Effective for entire length of Permit**

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

**Item 35.1:**

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 36: Recordkeeping requirements.  
Effective for entire length of Permit**

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

**Item 36.1:**

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

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

**Item 37.1:**

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 performance evaluations; all continuous 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 inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.



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

**Applicable Federal Requirement:40CFR 63.420(a)(2), Subpart R**

**Item 38.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 38.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Total HAP emissions will not equal or exceed 25 tons in any 12-month period. Verification of HAP emissions will be determined via emission calculations. A letter certifying that the facility has not exceeded the throughput or HAP emission limits indicated in this permit will be sent to Region 1 office by January 30 and July 30 of each year.

Parameter Monitored: TOTAL HAP  
 Upper Permit Limit: 25 tons per year  
 Monitoring Frequency: MONTHLY  
 Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

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

**Applicable Federal Requirement:40CFR 63.420(a)(2), Subpart R**

**Item 39.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):  
 CAS No: 000071-43-2 BENZENE  
 CAS No: 000100-41-4 ETHYLBENZENE  
 CAS No: 000108-88-3 TOLUENE  
 CAS No: 000540-84-1 PENTANE, 2,2,4-TRIMETHYL-  
 CAS No: 001330-20-7 XYLENE, M, O & P MIXT.  
 CAS No: 000110-54-3 HEXANE

**Item 39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
 OPERATIONS

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

Monitoring Description:

The facility shall not exceed an annual throughput of 585 million gallons/year of gasoline and 600 million gallons per year of total ethanol plus gasoline during any 12-month period. The data must be maintained at the facility. A letter certifying that the facility has not exceeded the throughput or HAP emission limits indicated in this permit must be submitted to the Region 1 office by January 30 and July 30 of each year. By meeting these conditions, Motiva demonstrates that 40 CFR 63 Subpart R is not applicable to this facility.

Work Practice Type: PROCESS MATERIAL THRUPUT  
 Process Material: GASOLINE  
 Upper Permit Limit: 585000 thousand gallons 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 40: Compliance Certification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 63.420(a)(2), Subpart R**

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000071-43-2	BENZENE
CAS No: 000100-41-4	ETHYLBENZENE
CAS No: 000108-88-3	TOLUENE
CAS No: 000540-84-1	PENTANE, 2,2,4-TRIMETHYL-
CAS No: 001330-20-7	XYLENE, M, O & P MIXT.
CAS No: 000110-54-3	HEXANE

**Item 40.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emissions of any individual HAP will not equal or exceed 10 tons in any 12-month period. Verification of HAP emissions will be determined via emission calculations. A letter certifying that the facility has not exceeded the throughput or HAP emission limits indicated in this permit will be sent to Region 1 office by January 30 and July 30 of each year.

Parameter Monitored: SPECIATED HAP (MASS)  
 Upper Permit Limit: 10 tons per year

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

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

**Applicable Federal Requirement: 40CFR 63.420(a)(2), Subpart R**

**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000071-43-2	BENZENE
CAS No: 000100-41-4	ETHYLBENZENE
CAS No: 000108-88-3	TOLUENE
CAS No: 000540-84-1	PENTANE, 2,2,4-TRIMETHYL-
CAS No: 001330-20-7	XYLENE, M, O & P MIXT.
CAS No: 000110-54-3	HEXANE

**Item 41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility shall not exceed an annual throughput of 182 million gallons/year of distillate oil including biodiesel during any 12-month period. The data must be maintained at the facility. A letter certifying that the facility has not exceeded the throughput or HAP emission limits indicated in this permit must be submitted to the Region 1 office by January 30 and July 30 of each year. By meeting these conditions, Motiva demonstrates that 40 CFR 63 Subpart R is not applicable to this facility.

Work Practice Type: PROCESS MATERIAL THRUPTUT  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Upper Permit Limit: 182000 thousand gallons 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 42: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 42.1:**

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

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:

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.

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).

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

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

**Condition 43: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

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

**Item 43.1:**

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

Emission Unit: S--TANK

Emission Point: TK019  
 Height (ft.): 17 Diameter (in.): 120  
 NYTMN (km.): 4498.752 NYTME (km.): 606.276

Emission Point: TK020  
 Height (ft.): 17 Diameter (in.): 120  
 NYTMN (km.): 4498.752 NYTME (km.): 606.276

Emission Point: TK021  
 Height (ft.): 17 Diameter (in.): 120  
 NYTMN (km.): 4498.752 NYTME (km.): 606.276

Emission Point: TK022  
 Height (ft.): 17 Diameter (in.): 120  
 NYTMN (km.): 4498.752 NYTME (km.): 606.276

Emission Point: TK028  
 Height (ft.): 17 Diameter (in.): 120  
 NYTMN (km.): 4498.752 NYTME (km.): 606.276

**Item 43.2:**

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

Emission Unit: T-TANKS

Emission Point: T0001  
 Height (ft.): 24 Diameter (in.): 8 Building: 2  
 NYTMN (km.): 4498.823 NYTME (km.): 606.333

Emission Point: T0002  
 Height (ft.): 24 Diameter (in.): 8 Building: 3  
 NYTMN (km.): 4498.823 NYTME (km.): 606.333

Emission Point: T0003  
 Height (ft.): 24 Diameter (in.): 8 Building: 4  
 NYTMN (km.): 4498.823 NYTME (km.): 606.333

Emission Point: T0004  
 Height (ft.): 24 Diameter (in.): 8 Building: 5  
 NYTMN (km.): 4498.823 NYTME (km.): 606.333

Emission Point: T0010

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

Height (ft.): 24	Length (in.): 12	Width (in.): 12
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 6
Emission Point: T0012		
Height (ft.): 24	Diameter (in.): 8	
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 7
Emission Point: T0013		
Height (ft.): 24	Length (in.): 12	Width (in.): 12
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 8
Emission Point: T0014		
Height (ft.): 24	Length (in.): 12	Width (in.): 12
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 9
Emission Point: T0015		
Height (ft.): 36	Length (in.): 12	Width (in.): 12
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 10
Emission Point: T0016		
Height (ft.): 36	Diameter (in.): 8	
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 11

**Item 43.3:**

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 15	Diameter (in.): 8	
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 1

**Item 43.4:**

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

Emission Unit: U-00012

Emission Point: 00012

Height (ft.): 14	Diameter (in.): 8	
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 12

**Item 43.5:**

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

Emission Unit: U-00013

Emission Point: 00013

Height (ft.): 5	Length (in.): 96	Width (in.): 60
NYTMN (km.): 4498.823	NYTME (km.): 606.333	Building: 13

**Condition 44: Process Definition By Emission Unit Effective for entire length of Permit**

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

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

**Item 44.1:**

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

Emission Unit: S--TANK  
Process: ADT Source Classification Code: 4-04-001-14  
Process Description:  
Additive tanks store various fuel additives which are  
blended with fuel at the loading truck loading rack.  
Emission Source/Control: 00025 - Process

**Item 44.2:**

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

Emission Unit: T-TANKS  
Process: GAT Source Classification Code: 4-04-001-14  
Process Description:  
Tanks storing gasoline. Tanks are equipped with internal  
floating roofs.

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

Emission Source/Control: TK001 - Process  
Design Capacity: 459,060 gallons

Emission Source/Control: TK002 - Process  
Design Capacity: 499,506 gallons

Emission Source/Control: TK003 - Process  
Design Capacity: 485,940 gallons

Emission Source/Control: TK004 - Process  
Design Capacity: 450,072 gallons

Emission Source/Control: TK010 - Process  
Design Capacity: 440,580 gallons

Emission Source/Control: TK012 - Process  
Design Capacity: 379,638 gallons

Emission Source/Control: TK013 - Process  
Design Capacity: 382,368 gallons

Emission Source/Control: TK014 - Process  
Design Capacity: 393,204 gallons

Emission Source/Control: TK015 - Process  
Design Capacity: 931,392 gallons

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Facility DEC ID: 1282001549

Emission Source/Control: TK016 - Process  
 Design Capacity: 934,416 gallons

**Item 44.3:**

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

Emission Unit: T-TANKS  
 Process: VOL Source Classification Code: 4-04-001-14  
 Process Description:  
 Tanks storing volatile organic liquid, including ethanol.  
 Tanks are equipped with internal floating roofs.

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

Emission Source/Control: TK001 - Process  
 Design Capacity: 459,060 gallons

Emission Source/Control: TK003 - Process  
 Design Capacity: 485,940 gallons

Emission Source/Control: TK004 - Process  
 Design Capacity: 450,072 gallons

Emission Source/Control: TK010 - Process  
 Design Capacity: 440,580 gallons

Emission Source/Control: TK012 - Process  
 Design Capacity: 379,638 gallons

**Item 44.4:**

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

Emission Unit: U-00001  
 Process: DIS Source Classification Code: 4-04-002-50  
 Process Description:  
 Distillate including biodiesel will be loaded in a total of 10 bays, 6 of which are used for distillate and biodiesel loading only. Four (4) bays are used for distillate and biodiesel or gasoline loading. A VRU is used to control emissions during the bottom loading of distillate including biodiesel from the truck rack.

Emission Source/Control: 00002 - Control  
 Control Type: VAPOR RECOVERY SYS(INCL. CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: 00001 - Process

**Item 44.5:**

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



Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

Emission Unit: U-00001

Process: GAS

Source Classification Code: 4-04-002-50

Process Description:

Gasoline tank trucks are loaded at 10 bays, with 6 bays being used to load gasoline and 4 bays to load distillate including biodiesel or gasoline. Vapors are collected and controlled by a VRU. This process also includes switch loading of distillate and biodiesel into trucks that previously held gasoline.

Emission Source/Control: 00002 - Control

Control Type: VAPOR RECOVERY SYS(INCL.

CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: 00001 - Process

**Item 44.6:**

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

Emission Unit: U-00012

Process: 022

Source Classification Code: 3-99-999-94

Process Description:

A groundwater remediation and stormwater collection system uses an air stripper to reduce the VOCs in the site's groundwater and contact water. Groundwater and contact water are pumped from the oil/water separator to the air stripper at a combined rate of up to 125 gpm. The floating product is separated and stored in a recovery tank. The water is pumped into a stripper for treatment and filtered by two activated carbon beds.

Emission Source/Control: 00023 - Process

**Item 44.7:**

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

Emission Unit: U-00013

Process: 023

Source Classification Code: 4-04-002-50

Process Description:

Removal of free oil and settled solids from the waste water.

Emission Source/Control: 00024 - Process

**Condition 45: Emission Unit Permissible Emissions  
Effective for entire length of Permit**

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

**Item 45.1:**

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

Emission Unit: T-TANKS

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 59,140 pounds per year

Emission Unit: U-00001

CAS No: 0NY998-00-0

Name: VOC

PTE(s): 106,860 pounds per year

**Condition 46: VOL storage tanks less than 10000 gallons  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 229.1 (b) (2) (iv)**

**Item 46.1:**

This Condition applies to Emission Unit: S--TANK Emission Point: TK019

**Item 46.2:**

The tank must be equipped with a conservation vent.

**Condition 47: VOL storage tanks less than 10000 gallons  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 229.1 (b) (2) (iv)**

**Item 47.1:**

This Condition applies to Emission Unit: S--TANK Emission Point: TK020

**Item 47.2:**

The tank must be equipped with a conservation vent.

**Condition 48: VOL storage tanks less than 10000 gallons  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 229.1 (b) (2) (iv)**

**Item 48.1:**

This Condition applies to Emission Unit: S--TANK Emission Point: TK021

**Item 48.2:**

The tank must be equipped with a conservation vent.

**Condition 49: VOL storage tanks less than 10000 gallons  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 229.1 (b) (2) (iv)**

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

**Item 49.1:**

This Condition applies to Emission Unit: S--TANK Emission Point: TK022

**Item 49.2:**

The tank must be equipped with a conservation vent.

**Condition 50: VOL storage tanks less than 10000 gallons  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 229.1 (b) (2) (iv)**

**Item 50.1:**

This Condition applies to Emission Unit: S--TANK Emission Point: TK028

**Item 50.2:**

The tank must be equipped with a conservation vent.

**Condition 51: Capping Monitoring Condition  
Effective for entire length of Permit**

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

**Item 51.1:**

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:

6 NYCRR Subpart 231-2

**Item 51.2:**

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

**Item 51.3:**

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 51.4:**

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 51.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement,

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Facility DEC ID: 1282001549

for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 51.6:**

The Compliance Certification activity will be performed for:

Emission Unit: T-TANKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0      VOC

**Item 51.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility will not exceed an annual emission limit of 29.57 tons VOC from emission unit T-TANKS. Compliance with this requirement shall be determined by using the actual volatile organic liquid and petroleum hydrocarbons throughput and operating conditions of each tank applied to the EPA Tanks 4.0 or subsequent versions program. The facility shall maintain onsite any records required to verify this limit for a minimum of five years.

Parameter Monitored: VOC

Upper Permit Limit: 29.57 tons per year

Reference Test Method: EPA

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL 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 52: Compliance Certification  
Effective for entire length of Permit**

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

**Item 52.1:**

The Compliance Certification activity will be performed for:

Emission Unit: T-TANKS

**Item 52.2:**

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

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

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 BBBB. If the facility is complying with option 2(d) of table 1 of subpart BBBB, 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 53: Compliance Certification  
Effective for entire length of Permit**

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

**Item 53.1:**

The Compliance Certification activity will be performed for:

Emission Unit: T-TANKS

Process: VOL

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 53.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each tank in this process group must be equipped with an internal floating roof with a liquid-mounted primary seal and gasketed fittings, or equivalent control. Replacement of other than liquid mounted seals is to be performed when the tank is cleaned and gas-freed for other purposes.

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

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

**Item 54.1:**

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

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 231-2

**Item 54.2:**

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

**Item 54.3:**

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 54.4:**

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 54.5:**

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 54.6:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 54.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility will not exceed an annual emission limit of 53.43 tons VOC from emission unit U-00001. Compliance with this requirement shall be determined by using the 12-month rolling total annual throughput with the measured emission rate as determined by method 40 CFR 60.502. The facility shall maintain on site any records required to verify this limit for a minimum of five years.

Parameter Monitored: VOC

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

Upper Permit Limit: 53.43 tons per year  
 Reference Test Method: EPA  
 Monitoring Frequency: MONTHLY  
 Averaging Method: ANNUAL TOTAL 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 55: Compliance Certification**  
**Effective for entire length of Permit**

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

**Item 55.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 55.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The Vapor Recovery Unit at Motiva is equipped with a Continuous Emission Monitor (CEM) to monitor the hydrocarbons emitted from the VRU exhaust stack. The unit collects and analyses exhaust gas samples and provides a reading of the volatile hydrocarbon concentration measured as volume percent of propane. This value will be converted to mg/l reading to compare with the VRU emission limit of 7.0 mg/l. The CEM collects and analyzes multiple samples per hour (minimum 4 samples) and these results are used to calculate a one hour rolling average. The CEM must be calibrated as per the manufacturer's specification on a frequency specified by the manufacturer.

Parameter Monitored: TOTAL HYDROCARBONS (THC)  
 Upper Permit Limit: 7.0 milligrams per liter  
 Monitoring Frequency: CONTINUOUS  
 Averaging Method: AVERAGING METHOD - SEE 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 56: Compliance Certification**  
**Effective for entire length of Permit**

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

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

**Item 56.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0     VOC

**Item 56.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reference Test Method: EPA approved

Monitoring Frequency: PER DELIVERY

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

**Applicable Federal Requirement:40CFR 60.502(e), NSPS Subpart XX**

**Item 57.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Loadings of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks using the following procedures:

1. The owner or operator shall obtain the vapor tightness documentation described in paragraph 60.505(b) of 40 CFR 60.500 Subpart XX for each gasoline tank truck which is to be loaded at the facility.

2. The owner or operator shall require the tank



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identification number to be recorded as each gasoline tank truck is loaded at the facility.

3. The owner or operator shall cross-check each tank identification number recorded per item 2 above with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded.

4. The terminal owner or operator shall notify the owner or operator of each nonvapor-tight gasoline tank truck loaded at the facility within 1 week after the documentation cross-check (Item #3).

5. The terminal owner or operator shall take steps assuring that the nonvapor-tight gasoline tank truck will not be reloaded at the facility until vapor tightness documentation for that tank is obtained.

In addition, the terminal owner or operator shall keep documentation of all notifications required under item 4 above on file at the terminal for at least 5 years.

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

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

**Applicable Federal Requirement: 40CFR 60.502(h), NSPS Subpart XX**

**Item 58.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 58.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The vapor collection and liquid loading equipment shall be designed and operated to prevent gauge pressure in the delivery tank from exceeding 4,500 pascals (450 millimeters of water) during product loading.

Parameter Monitored: PRESSURE

Upper Permit Limit: 450 millimeters of water

Reference Test Method: 40 CFR 60.503(d)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

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DESCRIPTION

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

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 60.502(j), NSPS Subpart XX**

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

**Item 59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each calendar month, the vapor collection system, the vapor processing system, and each loading rack handling gasoline shall be inspected during the loading of gasoline tank trucks for total organic compound liquid or vapor leaks. Detection methods incorporating sight, sound, or smell are acceptable. Each detection of a leak shall be recorded and the source of the leak repaired within 15 calendar days after it is detected.

Monthly terminal leak inspection records must be retained at the terminal for at least 5 years. Inspection records shall include, as a minimum, the following:

1. Inspection date
2. Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
3. Leak determination method
4. Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
5. Inspector name and signature.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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Facility DEC ID: 1282001549

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

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

**Applicable Federal Requirement: 40CFR 60.505(b), NSPS Subpart XX**

**Item 60.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 60.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Loadings of liquid product into gasoline tank trucks shall be limited to those gasoline tank trucks which have had their vapor tightness properly documented. The tank truck vapor tightness documentation shall be kept on file at the terminal in a permanent form available for inspection. The documentation file for each gasoline tank truck shall be updated at least once per year to reflect current test results as determined by Method 27. This documentation shall include, as a minimum, the following information:

- (1) Test title: Gasoline Delivery Tank Pressure Test--EPA Reference Method 27.
- (2) Tank owner and address.
- (3) Tank identification number.
- (4) Testing location.
- (5) Date of test.
- (6) Tester name and signature.
- (7) Witnessing inspector, if any: Name, signature, and affiliation.
- (8) Test results: Actual pressure change in 5 minutes, mm of water (average for 2 runs).

[NOTE: As an alternative to keeping records at the terminal of each gasoline cargo tank test result, 40 CFR 60.505(e) the facility may comply with the requirements in either paragraph (1) or (2) below:

- (1) An electronic copy of each record is instantly available at the terminal.
  - (i) The copy of each record is an exact duplicate image of the original paper record with certifying signatures.
  - (ii) The department is notified in writing that the each terminal using this alternative is in compliance with the recordkeeping requirements of 40 CFR 60.505.

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(2) For facilities that utilize 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 is made available (e.g., via facsimile) for inspection by department representatives during the

course of a site visit, or within a mutually agreeable time frame.

(i) The copy of each record is an exact duplicate image of the original paper record with certifying signatures.

(ii) The permitting authority is notified in writing that each terminal using this alternative is in compliance with with the recordkeeping requirements of 40 CFR 60.505. ]

Reference Test Method: 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 61: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement: 40CFR 60.505(c), NSPS Subpart XX**

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

**Item 61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As required under 40 CFR 60.502(j), the vapor collection system, the vapor processing system, and all loading racks handling gasoline will require a monthly inspection during the loading of gasoline tank trucks for total organic compounds liquid or vapor leaks. A record of each monthly leak inspection shall be kept on file at the terminal for at least 2 years. Inspection records shall include, as a minimum, the following information:

- (1) Date of inspection.
- (2) Findings (may indicate no leaks discovered; or location, nature, and severity of each leak).
- (3) Leak determination method.
- (4) Corrective action (date each leak repaired; reasons for any repair interval in excess of 15 days).
- (5) Inspector name and signature.

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[NOTE: As an alternative to keeping records at the terminal of each gasoline cargo tank test result, 40 CFR 60.505(e) the facility may comply with the requirements in either paragraph (1) or (2) below:

- (1) An electronic copy of each record is instantly available at the terminal.
  - (i) The copy of each record is an exact duplicate image of the original paper record with certifying signatures.
  - (ii) The department is notified in writing that the each terminal using this alternative is in compliance with the recordkeeping requirements of 40 CFR 60.505.
  
- (2) For facilities that utilize 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 is made available (e.g., via facsimile) for inspection by department representatives during the course of a site visit, or within a mutually agreeable time frame.
  - (i) The copy of each record is an exact duplicate image of the original paper record with certifying signatures.
  - (ii) The permitting authority is notified in writing that each terminal using this alternative is in compliance with with the recordkeeping requirements of 40 CFR 60.505. ]

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

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

**Item 62.1:**  
 The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
 Regulated Contaminant(s):  
 CAS No: 0NY998-00-0      VOC

**Item 62.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

Monitoring Description:

The owner and/or operator of a gasoline loading rack having a throughput of greater than or equal to 250,000 gallons/day, shall be subject to the following requirements:

- 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; and
- c) Design and operate the vapor collection system to prevent any TOC vapors collected at one loading rack from passing to another loading rack; and
- d) Limit the loading of gasoline into gasoline cargo tanks that are vapor tight using the procedures specified in §60.502(e)-(j). For the purposes of this condition, the term "tank truck" as used in §60.502(e)-(j) means "cargo tank" as defined in subpart BBBBBB in §63.11100.

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

The facility must comply with the testing and monitoring requirements specified in §63.11092(a).

The facility must keep records and submit reports as specified in §63.11094 and 11095.

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(a), Subpart BBBBBB**

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

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: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 64: Applicability of General Provisions of 40 CFR 60 Subpart A Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60, NSPS Subpart A**

**Item 64.1:**

This Condition applies to Emission Unit: U-00001  
Process: GAS

**Item 64.2:**

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

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

**Applicable Federal Requirement:40CFR 60.502(b), NSPS Subpart XX**

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00001  
Process: GAS

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

**Item 65.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 1-2820-01549/00004

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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A performance test is required to demonstrate compliance with the emission limit for the vapor recovery system. The owners/operators of the facility shall conduct a performance test within 180 days of the issuance of this permit and every five (5) years thereafter, in accordance with 40 CFR 60.503, 60.8 (as applicable), and 6 NYCRR 202-1.1 to demonstrate compliance with requirements in 40 CFR 60.502.

Upper Permit Limit: 7 milligrams per liter

Reference Test Method: 40 CFR 60.503

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 66: Truck loading compatibility  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.502(f), NSPS Subpart XX**

**Item 66.1:**

This Condition applies to Emission Unit: U-00001 Emission Point: 00001

**Item 66.2:**

Gasoline loading limited to trucks with vapor collection equipment which is compatible with the terminal vapor collection system.

**Condition 67: Vapor collection connection required  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.502(g), NSPS Subpart XX**

**Item 67.1:**

This Condition applies to Emission Unit: U-00001 Emission Point: 00001

**Item 67.2:**

The terminal and tank truck vapor collection systems must be connected during gasoline loading.

**Condition 68: Vent pressure limit  
Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 60.502(i), NSPS Subpart XX**



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**Item 68.1:**

This Condition applies to Emission Unit: U-00001 Emission Point: 00001

**Item 68.2:**

No pressure-vacuum vent in the terminal vapor collection system shall begin to open at a pressure less than 4,500 pascals.

**Condition 69: Compliance Certification  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR Part 212**

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00012

Regulated Contaminant(s):  
CAS No: 000071-43-2 BENZENE

**Item 69.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility requested a cap of 1095 hours per year on the operation of the air stripper.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 1095 hours

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

**Applicable Federal Requirement:6 NYCRR Part 212**

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00012

Regulated Contaminant(s):  
CAS No: 000071-43-2 BENZENE

Permit ID: 1-2820-01549/00004

Facility DEC ID: 1282001549

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility must collect monthly samples of the waste water influent to the air stripper and analyze samples for benzene concentration. If influent benzene concentration exceeds 4.0 ppm, the facility must utilize carbon canisters as necessary to reduce the influent benzene concentration to below 4.0 ppm. The facility does not need to report as an exceedance, so long as the corrective action was taken.

The facility must keep a log of the operating parameters of the stripper. The Department may require stack testing, based on the Department-approved testing protocol, to verify the air stripper emissions.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: WASTEWATER  
 Parameter Monitored: BENZENE  
 Upper Permit Limit: 4.0 parts per million by weight  
 Reference Test Method: EPA Method 602  
 Monitoring Frequency: MONTHLY  
 Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE 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 71: Compliance Certification  
 Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR Part 212**

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-00012

Regulated Contaminant(s):  
 CAS No: 000071-43-2 BENZENE

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

The facility requested an alternate scenario for the operation of the air stripper. This involves: (1)

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utilization of carbon cannisters whenever benzene concentration exceed 4.0 ppm in the wastewater, and (2) operation of the air stripper for less than 1095 hours per year. The Department requires that the owners/operators of the facility keep a log of the operating parameters of the stripper and may require stack testing, based on the Department-approved testing protocol, to verify the air stripper emissions.

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).

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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 required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and

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

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

#### STATE ONLY APPLICABLE REQUIREMENTS

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

**Condition 72: Contaminant List**  
**Effective for entire length of Permit**

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

**Item 72.1:**

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

CAS No: 000071-43-2  
Name: BENZENE

CAS No: 000100-41-4  
Name: ETHYLBENZENE

CAS No: 000108-88-3  
Name: TOLUENE

CAS No: 000110-54-3  
Name: HEXANE

CAS No: 000540-84-1  
Name: PENTANE, 2,2,4-TRIMETHYL-

CAS No: 001330-20-7  
Name: XYLENE, M, O & P MIXT.

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

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CAS No: 0NY998-00-0

Name: VOC

**Condition 73: Malfunctions and Start-up/Shutdown Activities  
Effective for entire length of Permit****Applicable State Requirement:6 NYCRR 201-1.4****Item 73.1:**

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

(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 74: CLCPA Applicability  
Effective for entire length of Permit****Applicable State Requirement:6 NYCRR 201-6.5 (a)**

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**Item 74.1:**

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 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 75: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 75.1:**

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.

**Condition 76: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 76.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 76.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator shall establish a complaint response plan to manage complaints related to air emissions from the facility. At a minimum, the plan shall include procedures to ensure that:

1. A complaint phone line is available 24 hours a day, 7 days a week.
2. Facility staff promptly investigate the possible causes of the complaint and promptly take action to abate any circumstances found to be the cause of the complaint.
3. The complaint, the results of investigation, and any corrective actions taken are recorded. Such records shall include the date, time, and staff person responsible.
4. Records are reported at a regular frequency acceptable to the Department.

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5. Records are reported in a format acceptable to the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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