

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 1472200696**



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 1-4722-00696/00014  
Mod 0 Effective Date: 12/21/1999 Expiration Date: No expiration date.  
Mod 2 Effective Date: 01/05/2006 Expiration Date: No expiration date.

Permit Issued To: NORTHVILLE INDUSTRIES CORP  
25 MELVILLE PARK RD  
PO BOX 2937  
MELVILLE, NY 11747-0398

Contact: THOMAS MAUS  
25 MELVILLE PARK RD  
PO BOX 2937  
MELVILLE, NY 11747-0398  
(631) 753-4364

Facility: SETAUKET TERMINAL - NORTHVILLE IND CORP  
19 BELLE MEADE RD  
EAST SETAUKET, NY 11733

Contact: THOMAS MAUS  
25 MELVILLE PARK RD  
PO BOX 2937  
MELVILLE, NY 11747-0398  
(631) 753-4364

**Description:**

The Setauket pipeline and tank farm facility consists of nine (9) above-ground storage tanks. These tanks store a variety of petroleum products; including, but not limited to, gasoline, kerosene, diesel fuel, and No. 2 fuel oil. The facility receives and delivers materials via pipeline. No loading operations occur at the Setauket facility. This permit memorializes Emission Reduction Credits which were initially certified in 1996 and reflects the return of five (5) storage tanks to service; after having been upgraded.

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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:           ROGER EVANS  
  DIVISION OF ENVIRONMENTAL PERMITS  
  SUNY CAMPUS, LOOP ROAD, BUILDING 40  
  STONY BROOK, NY 11790-2356

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



**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 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 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.



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal-REGION 1  
HEADQUARTERS

Submission of Applications for Permit Modification or Renewal-REGION 1  
HEADQUARTERS



**DEC GENERAL CONDITIONS**  
**\*\*\*\* General Provisions \*\*\*\***  
**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 2-1: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 2-1.1:**

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 2-1.2:**

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

**Item 2-1.3:**

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



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transfer of ownership.

**Condition 3: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13(a)**

**Item 3.1:**

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

**Item 3.2:**

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

**Condition 2-2: Permit Modifications, Suspensions and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

**Item 2-2.1:**

The Department reserves the right 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.

**Condition 4: Permit Modifications, Suspensions, and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

**Item 4.1:**

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.



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

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
SUNY Campus, Loop Road, Building 40  
Stony Brook, NY 11790-2356  
(516) 444-0365

**Condition 2-3: Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 2-3.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
SUNY Campus, Loop Road, Building 40  
Stony Brook, NY 11790-2356  
(631) 444-0365

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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: NORTHVILLE INDUSTRIES CORP  
25 MELVILLE PARK RD  
PO BOX 2937  
MELVILLE, NY 11747-0398

Facility: SETAUKET TERMINAL - NORTHVILLE IND CORP  
19 BELLE MEADE RD  
EAST SETAUKET, NY 11733

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

Mod 0 Permit Effective Date: 12/21/1999

Permit Expiration Date: No expiration date.

Mod 2 Permit Effective Date: 01/05/2006

Permit Expiration Date: No expiration date.



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 2-1 6NYCRR 201-7: Facility Permissible Emissions
- \*2-2 6NYCRR 201-7: Capping Monitoring Condition
- 20 6NYCRR 225-1.8(b): Compliance Demonstration
- 21 6NYCRR 225-1.8(d): Reports, Sampling and Analysis
- 2-3 6NYCRR 229.3(a): Internal floating roofs required in fixed roof tanks storing petroleum products
- 2-4 6NYCRR 229.3(a)(2): Compliance Demonstration
- 2-5 6NYCRR 229.5(a): Compliance Demonstration

**Emission Unit Level**

- 2-6 6NYCRR 201-7: Emission Unit Permissible Emissions

**EU=U-00001**

- \*2-7 6NYCRR 201-7: Capping Monitoring Condition
- 2-8 6NYCRR 231-2.6: Past Reduction By Over Control / Source Reduction
- 2-9 6NYCRR 231-2.6: Past Reduction By Over Control / Source Reduction

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 2-10 ECL 19-0301: Contaminant List
- 2-11 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 31 6NYCRR 201-5: Emission Unit Definition
- 33 6NYCRR 211.2: Air pollution prohibited
- 2-12 6NYCRR 221.2: Asbestos containing surface coatings prohibited
- 37 6NYCRR 225-1.2(a)(2): Compliance Demonstration

**Emission Unit Level**

- 38 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: Sealing - 6NYCRR Part 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

**Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6**

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.

**Item C: Maintenance of Equipment - 6NYCRR Part 200.7**

Any person who owns or operates an air contamination

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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.

**Item D: Unpermitted Emission Sources - 6NYCRR Part 201-1.2**

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

**Item E: Emergency Defense - 6NYCRR Part 201-1.5**

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event



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occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

**Item F: Recycling and Salvage - 6NYCRR Part 201-1.7**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

**Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8**

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.

**Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 201-3.2(a)**

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, 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 I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific



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criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source 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 which contains emission sources or units subject to 6 NYCRR Subpart 201-3, 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 J: Required Emission Tests - 6 NYCRR Part 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

**Item K: Visible Emissions Limited - 6 NYCRR Part 211.3**

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.

**Item L: Open Fires - 6 NYCRR Part 215**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**Item M: 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

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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 N: 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.

**FEDERAL APPLICABLE REQUIREMENTS**

**The following conditions are federally enforceable.**

**Condition 2-1: Facility Permissible Emissions**

**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-1.1:**

ceed the following

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

CAS No: 0NY998-00-0 (From Mod 2) PTE: 48,200 pounds per year  
Name: VOC

**Condition 2-2: Capping Monitoring Condition**

**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-2.1:**

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



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

6NYCRR 201-6

**Item 2-2.2:**

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

**Item 2-2.3:**

or 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 2-2.4:**

e a brief summary

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 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 2-2.5:**

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 2-2.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 2-2.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Facility wide gasoline throughput shall be monitored and recorded on a monthly basis to ensure that facility emissions remain below 24.1 tons per year of VOC's.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 13330 1000 barrels

Monitoring Frequency: MONTHLY



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Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 20: Compliance Demonstration**  
**Effective between the dates of 12/21/1999 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-1.8(b)**

**Item 20.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any person who sells oil and/or coal must retain, for at least three years, records containing the following information:

- i. fuel analyses and data on the quantities of all oil and coal received; and
- ii. the names of all purchasers, fuel analyses and data on the quantities of all oil and coal sold.

Such fuel analyses must contain as a minimum:

- i. data on the sulfur content, ash content, specific gravity and heating value of residual oil;
- ii. data on the sulfur content, specific gravity and heating value of distillate oil; and
- iii. data on the sulfur content, ash content and heating value of coal.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 21: Reports, Sampling and Analysis**  
**Effective between the dates of 12/21/1999 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 225-1.8(d)**

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**Item 21.1:**

Sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the commissioner.

**Condition 2-3: Internal floating roofs required in fixed roof tanks storing petroleum products**  
**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-3.1:**

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

1. the tank has been retrofitted with an internal floating roof or equivalent control; and

a way as to ensure

the integrity and efficiency of the system.

**Condition 2-4: Compliance Demonstration**  
**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-4.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 2-4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each Internal Floating Roof tank shall be visually inspected through manholes and roof hatches on the fixed roof once every five (5) years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 2-5: Compliance Demonstration**



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**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-5.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2-5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Record must be kept describing the capacities of petroleum liquid storage tanks. Records must be maintained at the facility for five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

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

**Condition 2-6: Emission Unit Permissible Emissions**

**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-6.1:**

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:

Emission Unit: U-00001

CAS No: 0NY998000 (From Mod 2)

Name: VOC

PTE(s): 34,360 pounds per year

**Condition 2-7: Capping Monitoring Condition**

**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-7.1:**



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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:

6NYCRR 231-2.6

**Item 2-7.2:**

sion limits, terms,

conditions and standards in this permit.

**Item 2-7.3:**

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 2-7.4:**

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 2-7.5:**

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 2-7.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 2-7.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Gasoline usage for tanks 15, 18, 20, 21, and 32 shall be monitored and recorded on a monthly basis to ensure that emissions remain below 17.18 tons of VOC's per year.



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The facility shall monitor the number of drawdowns per tank and the gasoline throughput.

On a monthly basis the facility shall record the number of tank drawdowns and calculate a rolling annual total for gasoline throughput.

If any of the tanks in this Emission Unit experiences more than one drawdown in any twelve month period or if the rolling annual total gasoline throughput for all the tanks exceeds 7,655,927 bbls, the TANKS Emission Estimation Software program will be run to calculate VOC emissions.

An annual certification that the 17.18 tpy VOC limit for these 5 tanks was not exceeded may then be made on one (1) of two (2) bases, either:

a. Neither of the parameter limits, which would trigger the running of the TANKS program, were exceeded during the calendar year or

b. The results of running the Tanks program do not indicate an exceedance.

Manufacturer Name/Model Number: Tanks 15, 18, 20, 21, and 32  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL TOTAL ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 2-8: Past Reduction By Over Control / Source Reduction  
Effective between the dates of 01/05/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 231-2.6**

**Item 2-8.1:**

This Condition applies to Emission Unit: U-00001

**Item 2-8.2:**

Emission Unit ID Number(s):

Former Emission Points 00005 (tank 26), 00008 (tank 24), 00009 (tank 35), 00010 (tank 27), 00011 (tank 29), 00012 (tank 37), 00016 (tank 25), and 00017 (tank 9).



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The facility has established 43.73 tpy of Volatile Organic Compound (VOC) (contaminant) emission reduction credits by physical removal of emission sources (reduction mechanism) at the above referenced emission unit(s).

**Condition 2-9: Past Reduction By Over Control / Source Reduction  
Effective between the dates of 01/05/2006 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 231-2.6**

**Item 2-9.1:**

This Condition applies to Emission Unit: U-00001

**Item 2-9.2:**

Emission Unit ID Number(s):

U0001 specifically Tanks 15, 18, 20, 21, and 32.

The facility has established 24.03 tpy of Volatile Organic Compound (VOC) emission reduction credits by removing the tanks from service, making improvements to the tanks (as described below), and returning them to service (reduction mechanism) at the above referenced emission unit(s).

Tanks Nos. 15, 18, 20 and 21:

The VOC emissions calculations used the USEPA TANKS 4 program and considered the improvements made to the tanks. The 1995 calculations showed that 35.02 TPY of VOC emissions were assignable to the operation of these four (4) tanks prior to 30 June 1992. The 2004 calculations for the same four (4) tanks showed that the VOC emissions of resumed operations would be 16.27 TPY. The 18.75 TPY decrease in VOC emissions is due to the following changes:

1. Rim Seal System

In 2004 a mechanical shoe primary seal and rim-mounted secondary seal were installed on the floating roof of each tank.

2. Tank Paint Color

Until 2004, Tanks 15, 18, 20, and 21 were painted light green, which was considered "gray" for the purpose of determining the average annual stock storage temperature in the 1995 calculations. The tanks are now white.

3. Floating Roof Deck Fittings

In 2004 all deck fittings were gasketed and the adjustable roof legs were fitted with socks.

4. Product RVP

o store gasoline of

higher RVP than is permitted now. The 2004 calculations were based on the storage of RVP = 9 psia gasoline from May through September and the storage of RVP = 13 psia gasoline the rest of the year.

Tank No. 32

Tank 32 is an external floating roof tank that was issued 6.19 TPY of VOC ERC's because it ceased operation in June 1992. Tank 32 will be extensively modified before it is returned to gasoline storage. Only after these modification are made may Tank 32 be placed in gasoline service. TANK 4 calculations show that Tank 32 will emit 0.91 TPY of VOC's when it resumes gasoline service. The 5.28 TPY



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decrease in VOC emissions is due to the following changes:

1. A fixed roof will be added to Tank 32 changing it from an open floater to a covered floater with a welded steel pan internal floating roof.
2. Rim Seal System  
Tank 32 will be equipped with a mechanical shoe primary seal and rim-mounted secondary seal will be installed on the floating roof;
3. Tank Paint Color  
Tank 32 will be painted white to reduce the average annual stock storage temperature.
4. Floating Roof Deck Fittings  
The number of adjustable floating roof support legs has been reduced to 17 and they will be fitted with socks. All deck fittings will be gasketed.
5. Product RVP  
The reduction in gasoline RVP described above also applies to Tank 32.



**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: Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)**

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1) , and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

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

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

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law.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 2-10: Contaminant List**

**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-10.1:**

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

CAS No: 0NY998-00-0

Name: VOC

**Condition 2-11: Unavoidable noncompliance and violations**

**Effective between the dates of 01/05/2006 and Permit Expiration Date**

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

**Item 2-11.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the

and/or operator is

subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the



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facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) 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.

**Condition 31: Emission Unit Definition**  
**Effective between the dates of 12/21/1999 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 31.1(From Mod 2):**

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

Emission Unit: U-00001

Emission Unit Description:

Each of the remaining five (5) storage tanks included in Emission Unit U00001 may store a variety of petroleum liquids and any petroleum derivatives; including, but not limited to, gasoline, kerosene, diesel fuel, and No. 2 fuel oil with Reid Vapor Pressures less than or equal to 13.5 psia. Emission Reduction Credits (ERC's) for volatile organic compounds (VOC's) were generated based upon modifications and upgrades made to these tanks.

Emission Points 00005 (tank 26), 00008 (tank 24), 00009 (tank 35), 00010 (tank 27), 00011 (tank 29), 00012 (tank 37), 00016 (tank 25), and 00017 (tank 9) have been physically removed. Emission Reduction Credits (ERC's) for volatile organic compounds (VOC's) were generated based upon the removal of these tanks.

**Item 31.2(From Mod 2):**



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

Emission Unit: U-00002

Emission Unit Description:

Each of the four (4) storage tanks included in Emission Unit U00002 may store a variety of petroleum liquids and any petroleum derivatives; including, but not limited to, gasoline, kerosene, diesel fuel, and No. 2 fuel oil with Reid Vapor Pressures less than or equal to 13.5 psia.

**Condition 33: Air pollution prohibited**  
**Effective between the dates of 12/21/1999 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 33.1:**

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 not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 2-12: Asbestos containing surface coatings prohibited**  
**Effective between the dates of 01/05/2006 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 221.2**

**Replaces Condition(s) 36**

**Item 2-12.1:**

No person shall engage in or allow surface coating by the spraying of asbestos or asbestos-containing materials.

**Condition 37: Compliance Demonstration**  
**Effective between the dates of 12/21/1999 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 225-1.2(a)(2)**

**Item 37.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 37.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any

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distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.00 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 38: Process Definition By Emission Unit**  
**Effective between the dates of 12/21/1999 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 38.1(From Mod 2):**

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

Emission Unit: U-00001

Process: GAS

Source Classification Code: 4-07-176-13

Process Description:

Emission Unit U00001 consists of five (5) internal floating roof storage tanks. Each tank stores a variety of petroleum liquids; including, but not limited to, gasoline, kerosene, diesel fuel, and No. 2 fuel oil with Reid Vapor Pressures less than or equal to 13.5 psia.

Emission Points 00005 (tank 26), 00008 (tank 24), 00009 (tank 35), 00010 (tank 27), 00011 (tank29), 00012 (tank 37), 00016 (tank 25), and 00017 (tank 9) were part of Emission Unit U00001 but have been physically removed.

Emission Source/Control: 00T15 - Process

Design Capacity: 50,000 barrels (petroleum, US)

Emission Source/Control: 00T18 - Process

Design Capacity: 50,000 barrels (petroleum, US)

Emission Source/Control: 00T20 - Process

Design Capacity: 150,000 barrels (petroleum, US)

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Emission Source/Control: 00T21 - Process  
Design Capacity: 260,000 barrels (petroleum, US)

Emission Source/Control: 00T32 - Process  
Design Capacity: 54,000 barrels (petroleum, US)

**Item 38.2(From Mod 2):**

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

Emission Unit: U-00002

Process: GS2

Source Classification Code: 4-07-176-13

Process Description:

Emission Unit U00002 consists of four (4) internal floating roof storage tanks. Each tank stores a variety of petroleum liquids; including, but not limited to, gasoline, kerosene, diesel fuel, and No. 2 fuel oil with Reid Vapor Pressures less than or equal to 13.5 psia.

Emission Source/Control: 00T22 - Process  
Design Capacity: 104,000 barrels (petroleum, US)

Emission Source/Control: 00T23 - Process  
Design Capacity: 104,000 barrels (petroleum, US)

Emission Source/Control: 00T30 - Process  
Design Capacity: 100,000 barrels (petroleum, US)

Emission Source/Control: 00T31 - Process  
Design Capacity: 100,000 barrels (petroleum, US)