

Facility DEC ID: 3334800111

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

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 3-3348-00111/00023  
Effective Date: 04/30/2024 Expiration Date: 04/29/2029

Permit Issued To: GLOBAL COMPANIES LLC  
800 SOUTH ST  
PO BOX 9161  
WALTHAM, MA 02453

Contact: TOM KEEFE  
GLOBAL COMPANIES LLC  
800 SOUTH ST  
WALTHAM, MA 02453  
(781) 398-4132

Facility: GLOBAL COMPANIES LLC - NEWBURGH-NORTH TERMINAL  
1281 RIVER RD  
New Windsor, NY 12553-6733

Description:

Global Companies LLC - Newburgh - North Terminal, located within the Town of New Windsor, New York, operates a gasoline and distillate oil storage and distribution terminal. The facility formerly consisted of the Global Newburgh and North Terminals but are being combined due to location and interconnectivity of the Terminals. The combined Terminal consists of three (3) loading racks used to fill cargo trucks with gasoline/ethanol and/or distillate fuel (including biofuels and renewable fuels). Vapors are recovered from gasoline loading operations and controlled by the operation of a vapor combustion unit (VCU01) at RACKA. RACKB and RACKC load only distillate (including biofuels). At all 3 truck racks, loading of distillate does not utilize a control device. The facility utilizes twelve (12) storage tanks of varying volume to manage onsite inventory of gasoline and higher vapor pressure products. Each of these storage tanks are equipped with internal floating roofs to control emissions. Seven (7) exempt fixed roof tanks are used to store lower vapor pressure products. As part of the project to combine Terminals, biofuels and/or blend stock will be stored at the Terminal.

Distillate and gasoline throughputs are limited by Federally Enforceable conditions established as part of previously issued Title V permits. Specifically, the facility is limited to a rolling twelve-month gasoline throughput of 750,000,000 gallons and a rolling twelve-month total distillate fuel throughput of 400,000,000 gallons. These throughput limits ensure Hazardous Air Pollutant emissions are below major stationary source thresholds and ensure that the

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requirements of 40 CFR 63 Subpart R - National Emission Standards for Gasoline Distribution Facilities do not apply.

The facility is subject to numerous recordkeeping, monitoring and reporting requirements under 6NYCRR 229 - Petroleum and Volatile Organic Liquid Storage and Transfer, 40CFR60.XX - Standards of Performance for Bulk Gasoline Terminals, 40CFR64 - Continuous Assurance Monitoring and 40CFR63.BBBBBB - National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities and 40CFR Part 63-JJJJJ (Part 201 exempt source).

Title V permitting applies to this facility since potential Volatile Organic Compound emissions exceed major stationary source thresholds defined by 6NYCRR 201. The Standard Industrial Classification representative of this facility is 5171 - Petroleum Bulk Stations and Terminals.

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: REBECCA S CRIST  
21 S PUTT CORNERS RD  
NEW PALTZ, NY 12561

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

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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**DEC GENERAL CONDITIONS**

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

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

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

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before 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

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submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

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

**Condition 5: Submission of application for permit modification or renewal -REGION 3**  
**HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696  
(845) 256-3054

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

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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800 SOUTH ST  
PO BOX 9161  
WALTHAM, MA 02453

Facility: GLOBAL COMPANIES LLC - NEWBURGH-NORTH TERMINAL  
1281 RIVER RD  
New Windsor, NY 12553-6733

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

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Permit Expiration Date: 04/29/2029

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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 4/FINAL

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

- Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)**  
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.
- Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**  
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**  
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**  
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**  
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and

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

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

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

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

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

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

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

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

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

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

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facility for any violation of applicable requirements prior to or at the time of permit issuance;

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

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

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

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the department pursuant to the provisions of section 201- 6.6 of this Subpart.

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

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

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

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

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

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

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

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality  
Effective between the dates of 04/30/2024 and 04/29/2029**

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

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

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

**Condition 2: Fees**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 2.1:**

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

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 3.1:**

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

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

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

**Condition 4: Records of Monitoring, Sampling, and Measurement**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 4.1:**

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

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reports required by the permit.

**Condition 5: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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



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

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

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

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

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

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

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

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

Monitoring Frequency: SEMI-ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 6: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**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 record keeping and reporting requirements of this permit;
  - such other facts as the Department may require to

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

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

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

iv. All annual compliance certifications may be submitted 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  
 21 South Putt Corners Road  
 New Paltz, NY 12561-1696

The address for the BQA is as follows:

NYSDEC

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2025.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 7.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 7.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 0 days after the reporting period.  
The initial report is due 4/15/2025.  
Subsequent reports are due every 12 calendar month(s).

**Condition 8: Recordkeeping requirements**  
Effective between the dates of 04/30/2024 and 04/29/2029

**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.

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**Condition 9: Open Fires - Prohibitions**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable Federal Requirement: 6 NYCRR 215.2**

**Item 9.1:**

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

**Item 9.2**

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

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

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

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

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

**Condition 10: Maintenance of Equipment**  
Effective between the dates of 04/30/2024 and 04/29/2029

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage**  
Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 11.1:**

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

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air**  
Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**  
Effective between the dates of 04/30/2024 and 04/29/2029

**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

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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 between the dates of 04/30/2024 and 04/29/2029**

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

**Item 14.1:**

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

**Condition 15: Requirement to Provide Information**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 15.1:**

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

**Condition 16: Right to Inspect**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**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

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(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 between the dates of 04/30/2024 and 04/29/2029**

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

**Item 17.1:**

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

**Condition 18: Accidental release provisions.**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**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 between the dates of 04/30/2024 and 04/29/2029**

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

**Item 19.1:**

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



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

**Condition 20: Emission Unit Definition**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 20.1:**

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

Emission Unit: 1-FUGTV

Emission Unit Description:

Equipment Fugitives

**Item 20.2:**

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

Emission Unit: 1-RACKS

Emission Unit Description:

Three (3) truck loading racks

Rack 1/A loads gasoline and distillate/biodiesel and is controlled by a VCU with vacuum assist to eliminate fugitives.

Rack 2/B loads distillate/biodiesel only.

Rack 3/C loads distillate/biodiesel only.

Building(s): NEWBURGH  
NORTH

**Item 20.3:**

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

Emission Unit: 1-TANKS

Emission Unit Description:

Twelve (12) storage tanks of varying volumes, all equipped with internal floating roofs (IFR)

Building(s): NEWBURGH  
NORTH

**Condition 21: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 21.1:**



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Monitoring Description:

Distillate (including biofuels) throughput at Rack 2 shall be limited to 100,000,000 gallons on a rolling 12-month basis. Facility must track distillate throughput and keep records on a rolling 12-month basis. Records must be kept for a minimum of (5) years and be made available to NYSDEC upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Upper Permit Limit: 100,000,000 gallons  
 Monitoring Frequency: MONTHLY  
 Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 23: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 23.1:**

The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: 1-RACKS	
Process: 1RD	Emission Source: RACKA
Emission Unit: 1-RACKS	
Process: 1RG	Emission Source: RACKA
Regulated Contaminant(s):	
CAS No: 0NY998-00-0	VOC

**Item 23.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Monitor the pressure in the vapor recovery line connected to each tank truck utilizing a continuous pressure monitoring system such that compliance with a minimum vacuum pressure at or below -0.5 inches water column is maintained during loading based on a one minute rolling average, rolled by second.

Electronic interlocks shall be used for each of the loading bays/loading positions. Visible and audible alarms in the facility's control room shall be installed and

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operated to prevent loading whenever the required vacuum pressure is not maintained.

A vacuum pressure monitoring data logger shall be used to record the pressure during operation.

In the event of the vacuum assist system is not operational and the facility hasn't changed the operational scenario utilized, the Department shall be notified in accordance with 6 NYCRR 201-1.4.

Parameter Monitored: PRESSURE  
 Upper Permit Limit: -0.5 inches of water  
 Monitoring Frequency: WHEN THE SOURCE IS OPERATING  
 Averaging Method: 1 HOUR ROLLING AVERAGE ROLLED EVERY 1 MINUTE  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 24: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 24.1:**  
 The Compliance Certification activity will be performed for the Facility.

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

**Item 24.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Tank maintenance emissions (including landings and clearings) will not exceed 41.81 tons on a rolling annual basis. Emissions will be calculated using the latest version of USEPA AP-42.

Emissions shall be calculated monthly on a rolling, 12-month basis. Records shall be kept at the facility for a minimum of five (5) years and be made available to the Department upon request.

Monitoring Frequency: MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

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**Condition 25: Compliance Certification**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 25.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-RACKS

Process: 1RG

Emission Source: RACKA

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

**Item 25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Facility-wide gasoline throughput (gasoline and ethanol) shall be limited to 750,000,000 gallons on a rolling 12-month basis. Facility must track gasoline throughput and keep records on a rolling 12-month basis. Records must be kept for a minimum of (5) years and be made available to NYSDEC upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 750,000,000 gallons

Monitoring Frequency: MONTHLY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 26: Compliance Certification**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 26.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-TANKS

Process: VOL

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

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Facility-wide blendstock throughput through the four permitted throughput tanks shall be limited to 200,000,000 gallons on a rolling 12-month basis. Facility must track blendstock throughput and keep records on a rolling 12-month basis. Records must be kept for a minimum of (5) years and be made available to NYSDEC upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT  
Process Material: OTHER GASEOUS FUELS  
Upper Permit Limit: 200,000,000 gallons  
Monitoring Frequency: MONTHLY  
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2024.  
Subsequent reports are due every 6 calendar month(s).

**Condition 27: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 27.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-RACKS  
Process: 1RD Emission Source: RACKA

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

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Distillate (including biofuels) throughput at Rack 1 shall be limited to 200,000,000 gallons on a rolling 12-month basis. Facility must track distillate throughput and keep records on a rolling 12-month basis. Records must

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be kept for a minimum of (5) years and be made available to NYSDEC upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Upper Permit Limit: 200,000,000 gallons  
 Monitoring Frequency: MONTHLY  
 Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 28: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 28.1:**

The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: 1-RACKS  
 Process: 1RG Emission Source: VCU01

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

**Item 28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

In lieu of the test required under 40 CFR 63.11092(a), the facility operator shall certify the compliance status of loading rack RACKA through the emissions testing report for Emission Source: VCU01 cited under 6 NYCRR 201-6 in this permit

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 29: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 29.1:**

The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

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Emission Unit: 1-RACKS

Process: 1RG

Emission Source: VCU01

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

VOC emissions from the vapor collection and control system shall not exceed 10 milligrams per liter (0.0835 lb per 1000 gallon) of gasoline throughput. Compliance with the specified limit constitutes compliance with the less stringent VOC emissions limit defined by 6NYCRR 229.3(d).

Compliance testing of the Vapor Combustion Unit emissions shall be completed once/5 year cycle. Compliance testing shall include a demonstration that VOC emissions are below the permit limit (mg VOC/liter product loaded) and that the Ultraviolet Flame Detector (UFD) verifies flame presence at all times during product loading.

At least 60 days prior to scheduling actual testing, the facility shall submit a protocol detailing methods and procedures to be used during performance/verification testing. A report documenting results shall be submitted within 60 days of conducting performance/verification testing.

Parameter Monitored: VOC

Upper Permit Limit: 10 milligrams per liter

Reference Test Method: 40CFR 60.503

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 30: Progress Reports Due Semiannually**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 30.1:**



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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 31: Operational Flexibility**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 31.1:**

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 32: Statement dates for emissions statements.**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 32.1:**

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 33: Visible Emissions Limited**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable Federal Requirement:6 NYCRR 211.2**

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**Item 33.1:**

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 34: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 34.1:**

The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: 1-TANKS

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

**Item 34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

The facility shall not conduct internal floating roof (IFR) tank in service refills of gasoline or blendstock that occur after roof landings during the months of May, June, July or August.

This limitation was incorporated into the December 2023 dispersion modeling scenarios used to show that facility operations will meet the benzene off-site short-term guideline concentration (SGC) and comply with the requirements of 6 NYCRR Part 212.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 35: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 35.1:**

The Compliance Certification activity will be performed for the facility:

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Facility DEC ID: 3334800111

The Compliance Certification applies to:

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 000071-43-2      BENZENE

**Item 35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall meet the benzene emission limits for tank cleanings listed in the approved "Newburgh North Attachment A - Short Term Emission Rates 12.8.23" document. The limits in this document represent the maximum emissions rates of benzene on a per tank, per month basis that will meet the benzene short-term guideline concentration (SGC) at the facility fence line, as demonstrated through dispersion modeling using the previous 5 years of meteorological data at the time of the modeling report dated December 2023.

The facility operator shall notify DEC at least 30 days prior to degassing any tank previously containing gasoline or blendstock. If the tank cleaning isn't planned (emergency maintenance) and the operator could not have known 30 days in advance, the operator shall notify DEC at least 7 days prior to the event along with written documentation demonstrating why the event was unplanned.

The facility shall estimate the benzene emission rate for this event using the equations of EPA AP-42 Chapter 7 and expected parameter data specific to the day of the event, including actual benzene liquid concentration, ambient temperature, product temperature, measured LEL and/or ppm values. The calculations will be done in accordance with the Department approved protocol, "Vapor Space Purge Calculation Protocol - November 2023" document.

For a tank degassing event, the exhaust VOCs contained in the tank vapor space shall be routed to a vapor control system rated at a minimum 98 percent destruction efficiency until the organic vapor concentration is at least 5,000 parts per million by volume (ppmv) or less as methane, or is 10 percent or less of the lower explosive limit (LEL).

If the expected emission rate exceeds the limits described in this condition, the facility shall notify DEC at least 7 days prior to the event. The facility shall also

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evaluate additional alternatives and mitigation and identify maximum short-term concentrations at residential locations. On a case-by-case basis, DEC may determine, in its sole discretion, that the tank degassing event may proceed based on the evaluation provided pursuant to this condition.

The facility shall calculate a revised emission rate based on actual parameter data collected during the event. If the revised emission rate exceeds the benzene emission rate limit, DEC shall be notified within 7 days after the event.

Records of all parameters and calculations used to determine expected and actual emission rates shall be maintained by the facility for a minimum of 5 years. A report containing the actual emission rates and all supporting documentation for each event shall be submitted to DEC each calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 36: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 36.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-TANKS

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

**Item 36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall conduct only one (1) internal floating roof (IFR) tank in service refill, cleaning or vapor space purge event at any one time.

This limitation was incorporated into the December 2023 dispersion modeling scenarios used to show that facility

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operations will meet the benzene off-site short-term guideline concentration (SGC) and comply with the requirements of 6 NYCRR Part 212. IFR in service events shall be recorded and maintained for a minimum of 5 years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 37: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 37.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 000071-43-2 BENZENE

**Item 37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall meet the benzene emission limits for tank landing refills listed in the approved "Newburgh North Attachment A - Short Term Emission Rates 12.8.23" document. The limits in this document represent the maximum emissions rates of benzene on a per tank, per month basis that will meet the benzene short-term guideline concentration (SGC) at the facility fence line, as demonstrated through dispersion modeling using the previous 5 years of meteorological data at the time of the modeling report dated December 2023.

The facility operator shall notify DEC at least 7 days prior to refilling any tank with gasoline or blendstock.

The facility shall estimate the benzene emission rate for this event using the equations of EPA AP-42 Chapter 7 and expected parameter data specific to the day of the event, including actual benzene liquid concentration, ambient temperature, product temperature and refill rates. The

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calculations will be done in accordance with the following Department approved protocols as appropriate: "Refill After Landing Calculation Protocol - November 2023" shall be used for in-service tank refills that occur after landings and "Refill After a Cleaning Calculation Protocol - November 2023" shall be used for refills that occur after tank cleanings.

If the expected emission rate exceeds the limits described in this condition, the facility shall notify DEC at least 7 days prior to the event. The facility shall also evaluate additional alternatives and/or mitigation and identify maximum short-term concentrations at residential locations. On a case-by-case basis, DEC may determine, in its sole discretion, that the in-service refill event may proceed based on the evaluation provided pursuant to this condition.

The facility shall calculate a revised emission rate based on actual parameter data collected during the event. If the revised emission rate exceeds the benzene emission rate limit, DEC shall be notified within 7 days after the event.

Records of all parameters and calculations used to determine expected and actual emission rates shall be maintained by the facility for a minimum of 5 years. A report containing the actual emission rates and all supporting documentation for each event shall be submitted to DEC each calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 38: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 38.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.0015 percent by weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 39: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable Federal Requirement: 6 NYCRR 225-1.6 (b)**

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

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

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Any facility who sells oil, waste oil, and/or coal must retain on site or at a Department approved alternative location, for at least five years, records containing the following information:

- (i) fuel analyses and data on the quantities of all oil, waste oil, and/or coal received; and
- (ii) the names of all purchasers, fuel analyses, and data on the quantities of all oil, waste oil, and/or 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

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heating value of distillate oil and/or waste oil;  
and/or  
(iii) data on the sulfur content, ash content, and heating  
value of coal.

Monitoring Frequency: PER DELIVERY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2024.  
Subsequent reports are due every 6 calendar month(s).

**Condition 40: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC  
OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: GASOLINE

Parameter Monitored: REID VAPOR PRESSURE

Upper Permit Limit: 9.0 pounds per square inch absolute

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 41: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 41.2:**

Compliance Certification shall include the following monitoring:



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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any refinery, terminal, or bulk plant from which gasoline, subject to this Subpart, is distributed must maintain records on the gasoline that is delivered to or distributed from such facilities. These records shall include:

- (1) The RVP of the gasoline if subject to section 225-3.3 of this Subpart.
- (2) A designation of the appropriate time period(s) in which the gasoline is intended to be dispensed to motor vehicles.
- (3) Written certification that the gasoline:
  - (i) conforms with all RVP and oxygen content requirements of this Subpart; and
  - (ii) is in compliance with all applicable State and Federal regulations which apply during the time period(s) specified pursuant to paragraph (3) of this subdivision.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 42: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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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 43: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 44: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 44.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 45: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable Federal Requirement: 6 NYCRR 229.5**

**Item 45.1:**

The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: 1-TANKS  
 Process: GAS

Emission Unit: 1-TANKS  
 Process: VOL

**Item 45.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a gasoline bulk plant, gasoline loading terminal, petroleum liquid storage tank, marine loading vessel facility, or volatile organic liquid

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storage tank subject to this Part must maintain the following records at the facility for a period for five years; a) capacities of petroleum liquid storage tanks subject to section 229.3(a) or (b) of the Part, in gallons; (b) average daily gasoline throughput per day for gasoline bulk plants subject to section 229.3 (c) of this Part, in gallons; (c) average daily gasoline throughput for gasoline loading terminals subject to section 229.3(d) of this Part, in gallons per year; (d) capacities of volatile organic liquid storage tanks, subject to section 229.3(e) of this Part, in gallons: and (e) daily gasoline throughput for marine vessel loading facilities subject to section 229.3(f) of this Part, in gallons.

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 1/30/2025.

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

**Condition 46: EPA Region 2 address.**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 46.1:**

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 47: Date of construction notification - If a COM is not used.**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 47.1:**

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Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 48: Facility files for subject sources.**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 48.1:**  
 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.

**Condition 49: Vapor collection connection required**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 49.1:**  
 This Condition applies to:

Emission Unit: 1RACKS

**Item 49.2:**  
 The terminal and tank truck vapor collection systems must be connected during gasoline loading.

**Condition 50: Applicability**

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Effective between the dates of 04/30/2024 and 04/29/2029

Applicable Federal Requirement: 40CFR 60, NSPS Subpart JJJJ

**Item 50.1:**

Facilities that have stationary spark ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart JJJJ.

**Condition 51: Compliance Certification**

Effective between the dates of 04/30/2024 and 04/29/2029

Applicable Federal Requirement: 40CFR 63.11089, Subpart BBBBBB

**Item 51.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 51.2:**

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.

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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.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 52: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 52.1:**  
 The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: 1-RACKS  
 Process: IRG  
 Emission Source: VCU01

**Item 52.2:**  
 Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

Global Companies has opted to follow alternative monitoring for compliance per 40 CFR 63.11092(b)(1)(iii)(B). Each calendar month, the vapor collection system and vapor processing system shall be inspected during loading events for total organic compounds, liquid or vapor leaks. For purposes of this condition, sight, sound or smell are acceptable inspection/detection methods. Each detection of a leak shall be recorded and the source of the leak repaired.

To satisfy compliance, the presence of a thermal oxidation system pilot flame shall be monitored on a continuous basis using an ultraviolet flame detector (UFD). The UFD shall send a positive parameter value to indicate that the pilot flame is on, or a negative parameter value to indicate that the pilot flame is off. The system shall be monitored as per the most recent submitted "VCU Monitoring and Inspection Plan and Compliance Assurance Monitoring Plan".

The facility is required to keep certain records, as follows:

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- As per 40 CFR 63.11092(b)(1)(iii)(B)(2)(ii): The facility shall record the start and end of each shutdown event.

- As per 40 CFR 63.11092(b)(1)(iii)(B)(2)(v): The owner or operator shall document any system malfunction, as defined in the monitoring and inspection plan, and any activation of the automated alarm or shutdown system with a written entry into a log book or other permanent form of record. Such record shall also include a description of the corrective action taken and whether such corrective actions were taken in a timely manner, as defined in the monitoring and inspection plan, as well as an estimate of the amount of gasoline loaded during the period of the malfunction.

All records must be kept for a minimum of (5) five years and be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 53: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 53.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-TANKS

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:

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

- 1) Annual certification testing performed under §63.11092(f)(1) and periodic railcar bubble leak testing



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performed under §63.11092(f)(2).

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 54: Compliance Certification**

Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 54.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 54.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 55: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 55.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 55.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Facility DEC ID: 3334800111

Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 56: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 56.1:**

The Compliance Certification activity will be performed for the Facility.

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:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.  
 The initial report is due 7/30/2024.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 57: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 57.1:**

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

The Compliance Certification activity will be performed for the Facility.

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

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 58: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 58.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 0NY100-00-0 TOTAL HAP

**Item 58.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) Each instance of a non-vapor-tight gasoline cargo tank loading at the facility in which the facility failed to take steps to assure that such cargo tank would not be reloaded at the facility before vapor tightness documentation for that cargo tank was obtained.
- 2) Each reloading of a non-vapor-tight gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained by the facility in accordance with §63.11094(b).
- 3) Each exceedance or failure to maintain, as appropriate, the monitored operating parameter value determined under §63.11092(b). The report shall include the monitoring data for the days on which exceedances or failures to maintain have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the continuous monitoring system.
- 4) Each instance in which malfunctions discovered during the monitoring and inspections required under §63.11092(b)(1)(i)(B)(2) and (b)(1)(iii)(B)(2) were not resolved according to the necessary corrective actions described in the monitoring and inspection plan. The report shall include a description of the malfunction and the timing of the steps taken to correct the malfunction.
- 5) for each occurrence of an equipment leak for which no repair attempt was made within 5 days or for which repair was not completed within 15 days after detection:
  - the date on which the leak was detected;
  - the date of each attempt to repair the leak;
  - the reasons for the delay of repair; and

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- the date of successful repair.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 59: Waiver of semi annual excess emissions report  
Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 59.1:**

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

**Condition 60: Applicability of MACT General Provisions  
Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 60.1:**

Owners or operators of affected sources subject to 40 CFR 63 Subpart BBBB must also comply with the requirements of Subpart A of Part 63, as applicable, according to Table 3 of Subpart BBBB.

**Condition 61: Applicability  
Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 61.1:**

Facilities that are area sources of HAP with industrial, commercial, or institutional boilers must comply with applicable portions of 40 CFR 63 JJJJJ.

**Condition 62: Compliance Certification  
Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 62.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Regular inspection and routine maintenance are required in order to ensure proper operation of the vapor control units in order to maintain the most efficient operation of the units and provide an assurance of compliance with the emission limitation and standards in accordance with 40 CFR Part 64. Global Companies has instituted a regular inspection and maintenance procedures of the manufacturer. Inspection and Maintenance Procedure outlined below:

Daily Inspections:

Inspections done each day for the following:

- 1 - Check to ensure that all gauges are reading within normal ranges.
- 2 - Check to ensure that no unusual noises are coming from the operating equipment.
- 3 - Visually inspect propane tank.

Weekly Inspections:

Inspections are done once per week for the following:

- 1 - Check for normal levels in the gauge glasses on the propane tank.
- 2 - Verify that all annunciation lamps work.
  - 2a) Push the lamp test button on main control panel; all lights should illuminate.
  - 2b) Replace lights that do not turn on.

Monthly Inspections:

Inspections are done once each month for the following:

- 1 - Check operation of the front panel lights.
- 2 - Check propane tanks and propane gauges.
- 3 - Gauge the level in the knock-out tank.
- 4 - Check the shutdown circuit for proper operation by creating a fault to ensure proper system shutdown. A detailed description of how to check each shutdown is provided in the "startup" section of the unit manual.

Inspection records shall be kept at the Terminal Managers office.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

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Facility DEC ID: 3334800111

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

**Condition 63: Emission Point Definition By Emission Unit**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 63.1:**

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

Emission Unit: 1-RACKS

Emission Point: TRK01

Height (ft.): 50 Diameter (in.): 108  
 NYTMN (km.): 4593.214 NYTME (km.): 582.632 Building: NEWBURGH

Emission Point: TRK02

Height (ft.): 16 Diameter (in.): 1  
 NYTMN (km.): 4593.214 NYTME (km.): 582.684 Building: NORTH

**Item 63.2:**

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

Emission Unit: 1-TANKS

Emission Point: 00012

Height (ft.): 40 Diameter (in.): 840  
 NYTMN (km.): 4592.273 NYTME (km.): 575.1 Building: NEWBURGH

Emission Point: 00013

Height (ft.): 30 Diameter (in.): 720  
 NYTMN (km.): 4592.273 NYTME (km.): 575.1 Building: NEWBURGH

Emission Point: 00017

Height (ft.): 33 Diameter (in.): 480  
 NYTMN (km.): 4592.273 NYTME (km.): 575.1 Building: NEWBURGH

Emission Point: 00027

Height (ft.): 50 Diameter (in.): 1020  
 NYTMN (km.): 4592.273 NYTME (km.): 575.1 Building: NEWBURGH

Emission Point: 00028

Height (ft.): 36 Diameter (in.): 1200  
 NYTMN (km.): 4592.273 NYTME (km.): 575.1 Building: NEWBURGH

Emission Point: 00030

Height (ft.): 48 Diameter (in.): 1440  
 NYTMN (km.): 4592.273 NYTME (km.): 575.1 Building: NEWBURGH

Emission Point: T0001



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Facility DEC ID: 3334800111

Height (ft.): 30	Diameter (in.): 936	
NYTMN (km.): 4593.226	NYTME (km.): 582.632	Building: NORTH
Emission Point: T0002		
Height (ft.): 30	Diameter (in.): 936	
NYTMN (km.): 4591.924	NYTME (km.): 582.332	Building: NORTH
Emission Point: T0003		
Height (ft.): 32	Diameter (in.): 936	
NYTMN (km.): 4591.924	NYTME (km.): 582.332	Building: NORTH
Emission Point: T0004		
Height (ft.): 30	Diameter (in.): 420	
NYTMN (km.): 4591.924	NYTME (km.): 582.332	Building: NORTH
Emission Point: T0005		
Height (ft.): 48	Diameter (in.): 1440	
NYTMN (km.): 4591.924	NYTME (km.): 582.332	Building: NORTH
Emission Point: T0010		
Height (ft.): 48	Diameter (in.): 720	
NYTMN (km.): 4591.924	NYTME (km.): 582.332	Building: NORTH

**Condition 64: Process Definition By Emission Unit**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 64.1:**

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

Emission Unit: 1-FUGTV  
 Process: FG1 Source Classification Code: 4-04-001-51  
 Process Description:  
 Miscellaneous fugitive emissions from valves, pumps, and flange leakage.

Emission Source/Control: FUGTV - Process

**Item 64.2:**

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

Emission Unit: 1-RACKS  
 Process: 1RD Source Classification Code: 4-04-002-50  
 Process Description:  
 Distillate truck loading including kerosene and biofuels.  
 Distillate and biofuels are loaded at Racks 1, 2 and 3.

Emission Source/Control: RACKA - Process

Emission Source/Control: RACKB - Process

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

Emission Source/Control: RACKC - Process

**Item 64.3:**

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

Emission Unit: 1-RACKS

Process: IRG

Source Classification Code: 4-04-001-53

Process Description:

Loading of gasoline and lower vapor pressure petroleum liquids including blendstock (except distillate and biofuels) with HAPs equal to or less than gasoline. This process occurs only at Rack 1.

Emission Source/Control: VCU01 - Control

Control Type: VAPOR COMBUSTION SYSTEM (INCL VAPOR COLLECTION AND COMBUSTION UNIT)

Emission Source/Control: RACKA - Process

**Item 64.4:**

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

Emission Unit: 1-RACKS

Process: FGT

Source Classification Code: 4-04-001-54

Process Description:

Fugitive emissions from tank trucks during gasoline loading at the Newburgh Truck Rack and North Gas Truck Rack (RACKA and RACKB)

Emission Source/Control: RACKA - Process

**Item 64.5:**

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

Emission Unit: 1-TANKS

Process: GAS

Source Classification Code: 4-04-001-60

Process Description:

Storage of gasoline and lower vapor pressure petroleum liquids with HAPs equal to or less than gasoline.

Emission Source/Control: TK01C - Control

Control Type: FLOATING ROOF

Emission Source/Control: TK02C - Control

Control Type: FLOATING ROOF

Emission Source/Control: TK03C - Control

Control Type: FLOATING ROOF

Emission Source/Control: TK04C - Control

Control Type: FLOATING ROOF

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

Emission Source/Control: TK05C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK10C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK12C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK13C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK17C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK27C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK28C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK30C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK001 - Process  
Design Capacity: 1,074,990 gallons

Emission Source/Control: TK002 - Process  
Design Capacity: 1,081,710 gallons

Emission Source/Control: TK003 - Process  
Design Capacity: 1,061,110 gallons

Emission Source/Control: TK004 - Process  
Design Capacity: 220,710 gallons

Emission Source/Control: TK005 - Process  
Design Capacity: 4,051,950 gallons

Emission Source/Control: TK010 - Process  
Design Capacity: 1,014,300 gallons

Emission Source/Control: TK012 - Process  
Design Capacity: 1,034,418 gallons

Emission Source/Control: TK013 - Process  
Design Capacity: 594,384 gallons

Emission Source/Control: TK017 - Process  
Design Capacity: 292,320 gallons

Emission Source/Control: TK027 - Process

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Design Capacity: 2,054,808 gallons

Emission Source/Control: TK028 - Process  
Design Capacity: 2,025,744 gallons

Emission Source/Control: TK030 - Process  
Design Capacity: 3,424,050 gallons

**Item 64.6:**

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

Emission Unit: 1-TANKS  
Process: VOL Source Classification Code: 4-04-001-60  
Process Description:  
Storage of volatile organic liquids including blendstocks  
with a maximum vapor pressure less than 11.1 psi at  
maximum monthly average temperature.

Emission Source/Control: TK01C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK03C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK04C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK05C - Control  
Control Type: FLOATING ROOF

Emission Source/Control: TK001 - Process  
Design Capacity: 1,074,990 gallons

Emission Source/Control: TK003 - Process  
Design Capacity: 1,061,110 gallons

Emission Source/Control: TK004 - Process  
Design Capacity: 220,710 gallons

Emission Source/Control: TK005 - Process  
Design Capacity: 4,051,950 gallons

**Condition 65: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

**Item 65.2:**

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 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: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 66: Truck loading compatibility**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 66.1:**

This Condition applies to Emission Unit: 1-RACKS

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

**Item 66.2:**

The owner or operator shall act to assure that loadings of gasoline tank trucks at the affected facility are made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system.

**Condition 67: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 67.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 67.2:**

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  
 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.

The initial report is due 7/30/2024.

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

**Condition 68: Vent pressure limit**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 68.1:**

This Condition applies to Emission Unit: 1-RACKS

**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.

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

**Condition 69: Compliance Certification**  
 Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

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

**Item 69.2:**

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.

The initial report is due 7/30/2024.

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

**Condition 70: Compliance Certification**

Permit ID: 3-3348-00111/00023

Facility DEC ID: 3334800111

Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 70.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 70.2:**

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.
- (2) For facilities that utilize a terminal automation system to prevent gasoline cargo tanks that do not have



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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: Method 27

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 71: Compliance Certification**

**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable Federal Requirement: 40CFR 60.505(e)(2), NSPS Subpart XX**

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

**Item 71.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

As an alternative to keeping records at the terminal of each gasoline cargo tank test result as required in §60.505(a), (c), and (d), the facility may comply with the following requirement:

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 must be made available ( e.g., via facsimile) for inspection by NYSDEC representatives during the course of a site visit, or within a mutually agreeable time frame.

- The copy of each record in this condition must be an

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exact duplicate image of the original paper record with certifying signatures.

- NYSDEC must be notified in writing that each terminal using this alternative is in compliance with this permit condition.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 72: Compliance Certification**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 72.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Process: 1RG

Emission Source: VCU01

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 72.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

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

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

Upper Permit Limit: 80 milligrams per liter

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST

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METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 73: Compliance Certification**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 73.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-RACKS

Emission Point: TRK02

Process: IRG

Emission Source: VCU01

**Item 73.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

(i) Initiate corrective action to determine the cause of the problem within 1 hour;

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 74: VOL fixed roof storage tank requirements**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 74.1:**

This Condition applies to Emission Unit: 1-TANKS

**Item 74.2:**

For a fixed roof storage tank storing volatile organic liquids, the tank must be equipped with an internal floating roof with a liquid-mounted primary seal and gasket fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-free for other purposes.

**Condition 75: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable Federal Requirement:40CFR 60.112b(a)(1), NSPS Subpart Kb**

**Item 75.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

**Item 75.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall install and maintain a fixed roof in combination with an internal floating roof on applicable storage vessels which shall meet the following specifications:

- (i) The internal floating roof shall rest or float on the liquid surface (but not necessarily in complete contact with it) inside a storage vessel that has a fixed roof. The internal floating roof shall be floating on the liquid surface at all times, except during initial fill and during those intervals when the storage vessel is completely emptied or subsequently emptied and refilled. When the roof is resting on the leg supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible.
- (ii) The internal floating roof shall be equipped with a mechanical shoe seal closure device between the wall of the storage vessel and the edge of the internal floating roof. The mechanical shoe seal shall comprise a metal sheet held vertically against the wall of the storage vessel by springs or weighted levers and connected by braces to the floating roof. A flexible coated fabric (envelope) should also span the annular space between the metal sheet and the floating roof.
- (iii) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.
- (iv) Each opening in the internal floating roof except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains is to be equipped with a cover or lid which is to be maintained in a closed position at all times (i.e., no visible gap) except when the device is in actual use. The cover or lid shall be equipped with a gasket. Covers on each access hatch and automatic gauge float well shall be bolted except when they are in use.
- (v) Automatic bleeder vents shall be equipped with a gasket and are to be closed at all times when the roof is floating except when the roof is being floated off or is being landed on the roof leg supports.
- (vi) Rim space vents shall be equipped with a gasket and are to be set to open only when the internal floating roof is not floating or at the manufacturer's recommended

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setting.

(vii) Each penetration of the internal floating roof for the purpose of sampling shall be a sample well. The sample well shall have a slit fabric cover that covers at least 90 percent of the opening.

(viii) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof shall have a flexible fabric sleeve seal or a gasketed sliding cover.

(ix) Each penetration of the internal floating roof that allows for passage of a ladder shall have a gasketed sliding cover.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 76: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 76.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

**Item 76.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility operator shall conduct the following testing and maintenance procedures on the internal floating roof VOC control system for an applicable storage vessel when storing gasoline:

(1) Visually inspect the internal floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with VOL. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

(2) Visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes and roof hatches on the fixed roof at

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least once every 12 months after initial fill. If the internal floating roof is not resting on the surface of the VOL inside the storage vessel, or there is liquid accumulated on the roof, or the seal is detached, or there are holes or tears in the seal fabric, the owner or operator shall repair the items or empty and remove the storage vessel from service within 45 days. If a failure that is detected during inspections required in this paragraph cannot be repaired within 45 days and if the vessel cannot be emptied within 45 days, a 30-day extension may be requested from the Department in the inspection report required by this rule in Sec. 60.115b(a)(3). Such a request for an extension must document that alternate storage capacity is unavailable and specify a schedule of actions the company will take that will assure that the control equipment will be repaired or the vessel will be emptied as soon as possible.

(3) Visually inspect the internal floating roof, the primary seal, the secondary seal (if one is in service), gaskets, slotted membranes and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10 percent open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exist before refilling the storage vessel with Volatile Organic Liquid (VOL). In no event shall inspections conducted in accordance with this requirement occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspection as specified in item (2).

(4) Notify the regional office in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required by items (1) and (3) of this section to afford the Department the opportunity to have an observer present. If the inspection required by item (3) is not planned and the owner or operator could not have known about the inspection 30 days in advance or refilling the tank, the owner or operator shall notify the Department at least 7 days prior to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection was unplanned. Alternatively, this notification including the written documentation may be made in writing and sent by

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express mail so that it is received by the Department at least 7 days prior to the refilling.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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

**Condition 77: Compliance Certification**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable Federal Requirement: 40CFR 60.115b(a), NSPS Subpart Kb**

**Item 77.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 77.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep a record of each inspection performed to monitor the condition of the internal floating roof. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

After each inspection that finds holes or tears in the seal or seal fabric, defects in the internal floating roof, or other control equipment defects, a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel, the nature of the defects, and the type and date of each repair made.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2024.

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



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**Condition 78: Compliance Certification**  
Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

**Item 78.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep copies of all records required by this section, except for the record required by paragraph (b) of this section, for at least 2 years. The record required by paragraph (b) of this section will be kept for the life of the source. Note: Title V requires these records – to be maintained for five (5) years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 79: Gasoline storage tank requirement exemption**  
Effective between the dates of 04/30/2024 and 04/29/2029

**Applicable Federal Requirement:40CFR 63.11087(f), Subpart BBBBBB**

**Item 79.1:**

This Condition applies to Emission Unit: 1-TANKS

**Item 79.2:**

A gasoline storage tank that is subject to, and complies with, the control requirements of 40 CFR 60 Subpart Kb will be deemed in compliance with the requirements of 40 CFR 63.11087. The facility must report this determination in the Notification of Compliance Status report as specified in 40 CFR 63.11093(b).

**Condition 80: Compliance Certification**  
Effective between the dates of 04/30/2024 and 04/29/2029

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

**Item 80.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-TANKS

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**Item 80.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

The initial report is due 7/30/2024.

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

**Condition 81: Notifications (63.11093 a-d)**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 81.1:**

This Condition applies to Emission Unit: 1-TANKS

**Item 81.2:**

(a) Each owner/operator of an affected source under subpart BBBB must submit an initial notification as specified in §63.9(b). If the facility is in compliance with the requirements of subpart BBBB at the time the initial notification is due, the notification of compliance status required under (b) of this condition may be submitted in lieu of the initial notification.

(b) Each owner/operator of an affected source under subpart BBBB must submit a notification of compliance status as specified in §63.9(h). The notification of compliance status must specify which of the compliance options included in table 1 of subpart BBBB that is used to comply with the subpart.

(c) Each owner/operator of an affected bulk gasoline terminal under subpart BBBB must submit a notification of performance test, as specified in §63.9(e), prior to initiating testing required by §63.11092(a) or §63.11092(b).

(d) Each owner/operator of any affected source under subpart BBBB must submit additional notifications specified in §63.9, as applicable.

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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

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

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

#### STATE ONLY APPLICABLE REQUIREMENTS

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

**Condition 82: Contaminant List**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 82.1:**

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: 0NY100-00-0  
Name: TOTAL HAP

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

**Condition 83: Malfunctions and Start-up/Shutdown Activities**

**Effective between the dates of 04/30/2024 and 04/29/2029**

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

**Item 83.1:**

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

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(b) The facility owner or operator shall compile and maintain records of all equipment 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 84: Air pollution prohibited**  
**Effective between the dates of 04/30/2024 and 04/29/2029**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 84.1:**

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

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