

Facility DEC ID: 9146800051

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

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
 Permit ID: 9-1468-00051/00005
 Effective Date: 09/22/2020 Expiration Date: 09/21/2025

Permit Issued To: Kiantone Pipeline Corp
 PO BOX 780
 WARREN, PA 16365-0780

Contact: Scott Hull
 550 Meyer Rd
 West Seneca, NY 14224
 (716) 675-2767

Facility: WEST SENECA TERMINAL
 MEYER ROAD
 WEST SENECA, NY

Description:
 Kiantone Pipeline's West Seneca Terminal is a crude storage terminal that receives crude from Enbridge Pipeline and pumps crude via Kiantone Pipeline to United Refining Company located in Warren, Pennsylvania. The terminal also can offload tanker trucks into the crude tanks.

This Air State Facility (ASF) permit is for Kiantone Pipeline to construct a new internal floating roof tank (Tank 704). This is a need due to the requirement to inspect tanks once every ten years. There are three existing tanks at the facility which limits operational flexibility during the years required to remove these tanks for cleaning, inspection and any required repairs. These tanks store crude oils with Reid Vapor Pressures of 5 to 7 psi. These tanks are fixed roof tanks with internal floating roofs. The tanks are regulated by 6 NYCRR Part 229 Petroleum and Volatile Organic Liquid Storage and Transfer due to the fact that the West Seneca Terminal transfers sweet and synthetic crude after obtaining custody. Construction of Tank 704 is anticipated to begin in 2020. Federal requirements as well as state requirements are applicable to this tank. This is the only storage tank at the facility that the federal requirements apply to.

The throughput before the addition of Tank 704 for the facility is an annual average of 70 thousand barrels/day (approximately 2.9 million gallons/day) and after the addition of Tank 704 the facility throughput would remain the same 70 thousand barrels/day annual average.

There are pumps and valves throughout the facility that will emit fugitive VOC emissions.

There is an emergency generator rated at 25kw (33 hp) at the facility. It is a spark ignition generator that uses propane as fuel. The generator was manufactured in 2008. This is considered an area source and is regulated under 40 CFR 63 Subpart ZZZZ. This engine meets the state exemption listed under 6 NYCRR Part 201-3.2(c)(3)(ii) due to the fact it is less than 400 horsepower.

The West Seneca Terminal Facility submitted a Toxic Impact Assessment (TIA) as part of their Air State Facility permit application process for the installation of a new crude oil tank. The

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operations at the facility include moving three types of crude oil: heavy (asphaltic), sweet and synthetic either by truck or pipeline.

The maximum 1-hr emissions of benzene and hydrogen sulfide (H2S) were modeled. The highest concentrations take place during the landing period of a floating roof tank. The landing emissions from the largest tank, 703, were modeled while the emissions from the remaining two existing tanks and the proposed new tank were modeled under normal operating conditions for the 1-hr modeling scenario. The results for the 1-hr emissions were below the short-term guideline concentration and NYS Standard for benzene and H2S, respectively. The modeled results from the annual emissions for benzene and H2S were modeled and found to be below the annual guidance concentrations found in DAR-1.

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: DAVID S DENK
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2915

Authorized Signature: _____ Date: ___ / ___ / _____

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

Item 4.1:

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

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

****** Facility Level ******

Condition 5: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2915
(716) 851-7165

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ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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PO BOX 780
WARREN, PA 16365-0780

Facility: WEST SENECA TERMINAL
MEYER ROAD
WEST SENECA, NY

Authorized Activity By Standard Industrial Classification Code:
4612 - CRUDE PETROLEUM PIPE LINES

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FINAL **FEDERALLY ENFORCEABLE CONDITIONS**
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NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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,

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required to operate such device effectively.

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

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

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

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

Item E: Recycling and Salvage - 6 NYCRR 201-1.7

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

Item F: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item H: Proof of Eligibility for Sources Defined as Trivial

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Activities - 6 NYCRR 201-3.3 (a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: Required Emission Tests - 6 NYCRR 202-1.1

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

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

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)

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

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: AIM Coatings - Standards
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement:6 NYCRR 205.3 (a)

Item 1.1:

No person shall manufacture, blend, or repackage for sale within the State of New York, supply, sell, or offer for sale within the State of New York or solicit for application or apply within the State of New York any architectural coating manufactured on or after January 1, 2005 which contains volatile organic compounds in excess of the limits specified in the Table of Standards in 6 NYCRR Part 205.3(a).

Condition 2: Architectural and Industrial Maintenance Coatings - Closed Containers
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement:6 NYCRR 205.3 (d)

Item 2.1:

Any person who applies architectural coatings shall ensure that all containers used to apply the contents therein to a surface directly from the container by pouring, siphoning brushing or rolling, padding, ragging or other means, shall be closed when not in use. These architectural coatings containers include, but are not limited to, drums, buckets, cans, pails, trays, or other application containers. Containers of any VOC-containing materials used for thinning and cleanup shall also be closed when not in use.

Condition 3: Visible Emissions Limited
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement:6 NYCRR 211.2

Item 3.1:

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

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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 4: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement:6 NYCRR 212-1.6 (a)

Item 4.1:
 The Compliance Demonstration activity will be performed for the Facility.

Item 4.2:
 Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No facility owner or operator shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

Parameter Monitored: OPACITY
 Upper Permit Limit: 20 percent
 Reference Test Method: EPA RM 9
 Averaging Method: 6 MINUTE AVERAGE
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement:6 NYCRR 225-1.2 (h)

Item 5.1:
 The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
 OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and

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must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

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: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 6: VOL storage tanks greater than 20,000 gallons - a
 Effective between the dates of 09/22/2020 and 09/21/2025**

Applicable Federal Requirement:6 NYCRR 229.1 (d) (2) (v)

Item 6.1:

The storage 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-freed for other purposes.

**Condition 7: Internal floating roofs required in fixed roof tanks
 storing petroleum products
 Effective between the dates of 09/22/2020 and 09/21/2025**

Applicable Federal Requirement:6 NYCRR 229.3 (a)

Item 7.1:

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

1. the tank has been retrofitted with an internal floating roof or equivalent control; and
2. the vapor collection and vapor control systems are maintained and operated in such a way as to ensure the integrity and efficiency of the system.

**Condition 8: VOL fixed roof storage tank requirements
 Effective between the dates of 09/22/2020 and 09/21/2025**

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

Item 8.1:

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.

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

Condition 9: Standards for VOCs.
Effective between the dates of 09/22/2020 and 09/21/2025

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

Item 9.1:
This Condition applies to Emission Unit: U-00002

Item 9.2:
Petroleum liquids stored at maximum true vapor pressures of greater than or equal to 5.2 kPa and less than 76.6 kPa shall be stored in a vessel with a fixed roof in combination with an internal floating roof which meets the design criteria of section 40 CFR 60-Kb.112b.

Condition 10: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

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

Item 10.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 10.2:
Compliance Demonstration shall include the following monitoring:

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.

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(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 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

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Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 11: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement: 40CFR 60.113b(a)(1), NSPS Subpart Kb

Item 11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall 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 Volatile Organic Liquid. If there are holes, tears, or other openings in the primary seal, 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 12: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement: 40CFR 60.113b(a)(2), NSPS Subpart Kb

Item 12.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For vessels equipped with a liquid-mounted or mechanical shoe primary seal, the owner or operator shall visually inspect the internal floating roof and the primary seal or the secondary seal (if one is in service) through manholes

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and roof hatches on the fixed roof at least once every 12 months after initial fill.

If the internal floating roof is not resting on the surface of the Volatile Organic Liquid 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 Administrator in the inspection report required in 40 CFR 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.

Monitoring Frequency: ANNUALLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 1/30/2021.
 Subsequent reports are due every 12 calendar month(s).

Condition 13: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement: 40CFR 60.113b(a)(4), NSPS Subpart Kb

Item 13.1:
 The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

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

Item 13.2:
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
 Monitoring Description:

The owner or operator shall 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.

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If the internal floating roof has defects, either 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 these conditions exist before refilling the storage vessel with Volatile Organic Liquid.

In no event shall inspections conducted in accordance with this provision occur at intervals greater than 10 years in the case of vessels conducting the annual visual inspections as specified in 40 CFR 60.113b(a)(2) and at intervals of no greater than 5 years in the case of vessels equipped with double seals that do not choose to perform the annual visual inspection option.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 14: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement: 40CFR 60.113b(a)(5), NSPS Subpart Kb

Item 14.1:
 The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

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

Item 14.2:
 Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 15: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Permit ID: 9-1468-00051/00005

Facility DEC ID: 9146800051

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

Item 15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

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

Item 15.2:

Compliance Demonstration 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: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 16: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

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

Item 16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

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

Item 16.2:

Compliance Demonstration shall include the following monitoring:

Permit ID: 9-1468-00051/00005

Facility DEC ID: 9146800051

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. These records shall be kept on site for the life of the storage vessel.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 17: Vapor Pressure Determination Using Storage Temperature Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement:40CFR 60.116b(e)(2), NSPS Subpart Kb

Item 17.1:

This Condition applies to Emission Unit: U-00002 Emission Point: TK704

Item 17.2:

The facility owner or operator may use available data on the storage temperature to determine the maximum true vapor pressure for crude oil or refined petroleum products as described below:

(i) Available data on the Reid vapor pressure and the maximum expected storage temperature based on the highest expected calendar-month average temperature of the stored product may be used to determine the maximum true vapor pressure from nomographs contained in API Bulletin 2517 (incorporated by reference—see 40 CFR 60.17), unless the Administrator specifically requests that the liquid be sampled, the actual storage temperature determined, and the Reid vapor pressure determined from the sample(s).

(ii) The true vapor pressure of each type of crude oil with a Reid vapor pressure less than 13.8 kPa or with physical properties that preclude determination by the recommended method is to be determined from available data and recorded if the estimated maximum true vapor pressure is greater than 3.5 kPa.

Condition 18: Compliance Demonstration Effective between the dates of 09/22/2020 and 09/21/2025

Applicable Federal Requirement:40CFR 63.Table(2)(d), Subpart ZZZZ

Item 18.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00004

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Permit ID: 9-1468-00051/00005

Facility DEC ID: 9146800051

Monitoring Description:

If you own or operate an existing stationary RICE located at an area source of HAP emissions, you must change oil every 500 hours or annually, inspect air filter every 1000 hours or annually, inspect all hoses and belts every 500 hours or annually.

The engine is required to have a non-resettable hour meter and not be operated more than 100 hours per year of non-emergency operation. 50 hours are allowed for maintenance purposes and 50 hours for non-emergency purposes

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Permit ID: 9-1468-00051/00005

Facility DEC ID: 9146800051

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

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

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

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

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

(4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.

Permit ID: 9-1468-00051/00005

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Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 19: Contaminant List

Effective between the dates of 09/22/2020 and 09/21/2025

Applicable State Requirement: ECL 19-0301

Item 19.1:

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: 0NY998-00-0
Name: VOC

Condition 20: Malfunctions and start-up/shutdown activities

Effective between the dates of 09/22/2020 and 09/21/2025

Applicable State Requirement: 6 NYCRR 201-1.4

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Item 20.1:

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

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, 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 stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and 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. 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, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the 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 21: Emission Unit Definition**Effective between the dates of 09/22/2020 and 09/21/2025****Applicable State Requirement: 6 NYCRR Subpart 201-5****Item 21.1:**

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit includes three storage tanks (Tank 701, 702 and 703). These tanks store crude oils with Reid Vapor Pressures of 5 to 7 psi. These tanks are fixed roof tanks with internal floating roofs. The tanks are

Permit ID: 9-1468-00051/00005

Facility DEC ID: 9146800051

regulated by 6 NYCRR Part 229.

Item 21.2:

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

Emission Unit: U-00002

Emission Unit Description:

This emission unit consists of one Petroleum Crude Storage Tank. Tank 704 is anticipated to be constructed in 2020. Federal requirements as well as state requirements are applicable to this tank. This is the only storage tank at the facility that the federal requirements apply to.

Item 21.3:

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

Emission Unit: U-00003

Emission Unit Description:

This emission unit consists of ancillary components. The components consist of pumps and valves throughout the facility that will have fugitive VOC emissions.

Item 21.4:

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

Emission Unit: U-00004

Emission Unit Description:

This is an emergency generator rated at 25kw (33 hp). This is a spark ignition generator that uses propane as fuel. This is considered an area source and is regulated under 40 CFR 63 Subpart ZZZZ. This engine meets the state exemption listed under 6 NYCRR Part 201-3.2(c)(3)(ii) due to the fact it is less than 400 horsepower.

Condition 22: Renewal deadlines for state facility permits
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable State Requirement:6 NYCRR 201-5.2 (c)

Item 22.1:

The owner or operator of a facility having an issued state facility 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.

Condition 23: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable State Requirement:6 NYCRR 201-5.3 (c)

Item 23.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 23.2:

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Facility DEC ID: 9146800051

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
 NYS Dept. of Environmental Conservation
 Region 9
 270 Michigan Ave.
 Buffalo, NY 14203

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 24: Air pollution prohibited
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable State Requirement:6 NYCRR 211.1

Item 24.1:

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

Condition 25: Compliance Demonstration
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable State Requirement:6 NYCRR 212-2.3 (b)

Item 25.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 25.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The West Seneca Terminal Facility submitted a Toxic Impact Assessment (TIA) as part of their Air State Facility permit application process for the installation

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of a new crude oil tank. The operations at the facility include moving three types of crude oil: heavy (asphaltic), sweet and synthetic either by truck or pipeline.

The maximum 1-hr emissions of benzene and hydrogen sulfide (H2S) were modeled from all sources and the four tanks. The highest concentrations take place during the landing period of a floating roof tank. The landing emissions from the largest tank, 703, were modeled while the emissions from the remaining two existing tanks and the proposed new tank were modeled under normal operating conditions for the 1-hr modeling scenario. The results for the 1-hr emissions were below the short-term guideline concentration and NYS Standard for benzene and H2S, respectively. The modeled results from the annual emissions for benzene and H2S were modeled and found to be below the annual guidance concentrations found in DAR-1. There is no annual guidance concentration for H2S. There are no monitoring or reporting requirements for this permit condition.

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

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

Condition 26: Emission Point Definition By Emission Unit
Effective between the dates of 09/22/2020 and 09/21/2025

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 26.1:

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

Emission Unit: U-00001

Emission Point: TK701

Height (ft.): 48 Diameter (in.): 130
 NYTMN (km.): 4746.568 NYTME (km.): 681.587

Emission Point: TK702

Height (ft.): 48 Diameter (in.): 130
 NYTMN (km.): 4746.537 NYTME (km.): 681.685

Emission Point: TK703

Height (ft.): 48 Diameter (in.): 197
 NYTMN (km.): 4746.436 NYTME (km.): 681.669

Item 26.2:

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Facility DEC ID: 9146800051

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

Emission Unit: U-00002

Emission Point: TK704

Height (ft.): 70

Diameter (in.): 158

NYTMN (km.): 4746.432 NYTME (km.): 681.761

**Condition 27: Process Definition By Emission Unit
Effective between the dates of 09/22/2020 and 09/21/2025**

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 27.1:

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

Emission Unit: U-00001

Process: SST

Source Classification Code: 4-03-011-53

Process Description:

This process includes three existing internal floating roof tanks. The tanks store petroleum crude oil and are regulated by New York State regulations Part 229.

Emission Source/Control: 00T01 - Control

Control Type: FLOATING ROOF, INTERNAL

Emission Source/Control: 00T02 - Control

Control Type: FLOATING ROOF, INTERNAL

Emission Source/Control: 00T03 - Control

Control Type: FLOATING ROOF, INTERNAL

Emission Source/Control: PRT01 - Process

Item 27.2:

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

Emission Unit: U-00002

Process: FST

Source Classification Code: 4-03-011-53

Process Description:

This process includes new Tank 704 that the federal NSPS requirements are applicable.

Emission Source/Control: 00T04 - Control

Control Type: FLOATING ROOF, INTERNAL

Emission Source/Control: PRT02 - Process

Item 27.3:

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

Emission Unit: U-00003

Permit ID: 9-1468-00051/00005

Facility DEC ID: 9146800051

Process: 0FE

Source Classification Code: 4-03-888-02

Process Description:

This process includes all components that may have fugitive emissions associated with them.

Emission Source/Control: PRT03 - Process

Item 27.4:

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

Emission Unit: U-00004

Process: 0EE

Source Classification Code: 2-02-010-01

Process Description:

This process includes an emergency generator. This is required for control system power during a power failure.

Emission Source/Control: PRT04 - Combustion

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Facility DEC ID: 9146800051