

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025

Facility Identification Data

Name: UNITED RIVERHEAD TERMINAL
 Address: 212 SOUND SHORE RD
 RIVERHEAD, NY 11901

Owner/Firm

Name: UNITED RIVERHEAD TERMINAL INC
 Address: 212 SOUND SHORE RD
 RIVERHEAD, NY 11901, USA
 Owner Classification: Corporation/Partnership

Permit Contacts

Air Permitting Contact:
 Name: SCOTT KAMM
 Address: UNITED RIVERHEAD TERMINAL
 212 SOUND SHORE RD
 RIVERHEAD, NY 11901
 Phone:6312842010

**Permit Description
Introduction**

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

Summary Description of Proposed Project

This project is the facility's Air Title V Permit renewal. There are no significant changes associated with this renewal. The facility will continue to operate pursuant to its existing 6 NYCRR Part 229 VOC RACT variance for its offshore petroleum liquid loading operations.

Attainment Status

UNITED RIVERHEAD TERMINAL is located in the town of RIVERHEAD in the county of SUFFOLK. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
-----	-----
Particulate Matter (PM)	ATTAINMENT
Particulate Matter< 10µ in diameter (PM10)	ATTAINMENT

**Division of Air Resources
Permit Review Report**

**Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025**

Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	SEVERE NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

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

Facility Description:

United Riverhead Terminal is a petroleum bulk storage terminal. The facility consists of twenty bulk storage tanks storing petroleum liquids including distillate oil, residual oil, and crude oils. In addition to the petroleum bulk storage operations, the facility operates three identical natural gas fired boilers, two diesel fired emergency engines, truck loading bays for dispensing petroleum liquids to tanker trucks, a gasoline and diesel fuel dispensing site for fleet vehicles, and a marine platform for the loading and unloading of petroleum liquids from marine vessels.

Permit Structure and Description of Operations

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

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

UNITED RIVERHEAD TERMINAL is defined by the following emission unit(s):

Emission unit U00001 - This emission unit consists of twenty (20) bulk storage tanks. Each tank may store a variety of petroleum liquids, including, but not limited to, crude oils, distillate oils, gasoline, and residual oils. Tanks 1-3 and 9-13 have capacities less than 300,000 barrels and are exempted from regulations since they store distillate and residual

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

fuel oil. Tanks 4 and 5 have capacities less than 100,000 barrels and are subject to 6 NYCRR Part 229. Tanks 6-8, 17-19 and 21 have capacities greater than 300,000 barrels, store No. 6 fuel oil/crude oil, and are subject to 6 NYCRR Part 212 regulation. Tanks 14-16 were constructed after 1973, have capacities ranging from 250,000 to 415,000 barrels, and are subject to 40 CFR 60 Subparts K and 6 NYCRR Part 229 regulations. Tanks 14-16 are also equipped with internal floating roofs.

Process: STO This process includes 20 bulk storage tanks of various sizes storing petroleum liquids. Stored petroleum liquids include crude oils, distillate oils, and residual oils.

Emission unit U00002 - This emission unit consists of three (3) identical 29 million Btu/hr boilers firing natural gas. Each boiler is equipped with a low NOx burner and a continuous oxygen trim system when firing natural gas.

Emission unit U00002 is associated with the following emission points (EP):
0EP01, 0EP02, 0EP03

Emission unit U00002 is associated with the following emission points (EP):
0EP01, 0EP02, 0EP03

Process: GAS is located at Building BOILERROOM - This process represents three boilers rated at 29 mmBtu/hr firing natural gas. Each boiler is equipped with a low NOx burner and continuous oxygen trim system.

Emission unit U00003 - This emission unit consists of two (2) emergency diesel engines. One is designated the Beach Generator with a rated capacity of 375 hp driving a generator and the other is designated the Southwest Pump Driver Engine with a rated capacity of 425 hp. Both engines are for emergency use only and is restricted to less than 50 hours of operation per year for reliability testing and maintenance activities.

Emission unit U00003 is associated with the following emission points (EP):
0EP07

Emission unit U00003 is associated with the following emission points (EP):
0EP07

Process: 340 This process represents the operation of one diesel engine (South West Pump Driver Engine) with a rated capacity of 425 hp. This engine is primarily for emergency use and is restricted to 50 hours of operation per year for maintenance purposes.

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

Process: 375 This process represents the operation of one diesel engine (Beach Generator) with a rated capacity of 375 hp. This engine is primarily for emergency use and is restricted to 50 hours of operation per year for maintenance and testing purposes.

Emission unit U00004 - This emission unit consists of six (6) truck loading bays transferring a variety of petroleum liquids including, but not limited to, crude oils, distillate oils, and residual oils to trucks for transport from the facility.

Process: RAC Eight racks top load petroleum liquids with vapor pressures less than 12.4 psia into tank trucks. Each arm has a maximum filling rate of 600 gallons per minute.

Emission unit U00005 - This emission unit includes the marine loading and unloading of petroleum and non-petroleum fuel liquids at an offshore platform. A variety of petroleum liquids including, but not limited to, crude oils, distillate oils, and residual oils are loaded and unloaded into marine vessels at the platform. The Department has granted a VOC RACT variance for the marine platform.

Process: DCK Petroleum liquids, including, but not limited to, crude oils, gasoline and gasoline blendstocks, with an RVP less than 13.5 psia are loaded and unloaded into marine vessels at an offshore platform.

Process: PIE Distillate and residual fuel oils with vapor pressures less than 0.2 psia are loaded at offshore platform.

Emission unit U00006 - This emission unit consists of fuel dispensing stations for powering diesel and gasoline fleet of vehicles operating on the site. The fuels are loaded from two 500-gallon tanks.

Process: DSP Gasoline and diesel fuels are dispensed to fleet vehicles.

Title V/Major Source Status

UNITED RIVERHEAD TERMINAL is subject to Title V requirements. This determination is based on the following information:

United Riverhead Terminal is subject to Title V requirements because the facility is a major facility. This determination is based on the following:

The potential to emit for volatile organic compounds exceeds 25 tons per year and the

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025

potential to emit for xylene exceeds 10 tons per year.

Program Applicability

The following chart summarizes the applicability of UNITED RIVERHEAD TERMINAL with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52.21, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

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

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

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

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025

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

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

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

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

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

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

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

SIC Code

Description

5171

PETROLEUM BULK STATIONS & TERMINALS

SCC Codes

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

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025

SCC Code	Description
1-03-006-03	EXTERNAL COMBUSTION BOILERS - COMMERCIAL/INDUSTRIAL COMMERCIAL/INSTITUTIONAL BOILER - NATURAL GAS Less Than 10 MMBtu/Hr
2-03-001-01	INTERNAL COMBUSTION ENGINES - COMMERCIAL/INSTITUTIONAL COMMERCIAL/INSTITUTIONAL IC ENGINE - DISTILLATE OIL (DIESEL) Reciprocating
4-06-001-63	TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS TANK CARS AND TRUCKS
4-06-002-34	GASOLINE: RETURN W/ VAPOR (TRANSIT LOSSES) TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS - MARINE VESSELS
4-06-002-51	Gasoline: Ship Loading - Ballasted Tank TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS - MARINE VESSELS
4-06-007-06	Distillate Oil: Loading Barges TRANSPORTATION AND MARKETING OF PETROLEUM PRODUCTS
4-07-176-13	CORPORATE FLEET REFUELING - STAGE I: BALANCED SUBMERGED FILLING ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - FLOATING ROOF TANKS - ALKANES (PARAFFINS) FLOAT ROOF TANKS PETROLEUM DISTILLATES: STANDING LOSS

Facility Emissions Summary

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

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
---------	-------------	------------	-------------	---------------	----------------

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

000071-43-2	BENZENE	0.35
000630-08-0	CARBON MONOXIDE	32.67
000110-54-3	HEXANE	1.35
007439-92-1	LEAD	0.0002
0NY210-00-0	OXIDES OF NITROGEN	21.97
0NY075-00-0	PARTICULATES	2.79
0NY075-00-5	PM-10	2.79
0NY075-02-5	PM-2.5	2.79
007446-09-5	SULFUR DIOXIDE	0.41
000108-88-3	TOLUENE	0.4
0NY100-00-0	TOTAL HAP	15.25
0NY998-00-0	VOC	624.24
001330-20-7	XYLENE, M, O & P MIXT.	13.16

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or

Division of Air Resources
Permit Review Report

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

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

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

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

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

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

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

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

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

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

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 2 01-6.7 and Part 621.

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

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

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

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

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025

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

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

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

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

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

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

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

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

Regulatory Analysis

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

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

--				
FACILITY	ECL 19-0301	43		Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A	30		General provisions
U-00001/--/STO/00T14	40CFR 60-K.112 (a)	39		Petroleum liquid storage tanks over 40,000 gallons capacity - standard for VOC
U-00001	40CFR 60-K.113 (a)	38		Petroleum liquid storage tanks over 40,000 gallons capacity - monitoring of operations
FACILITY	40CFR 63-A	31		Subpart A - General Provisions apply to all NESHAP affected sources
FACILITY	40CFR 63-ZZZZ	32		Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	18		Chemical accident prevention provisions
FACILITY	40CFR 82-F	19		Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1		Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10		Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	44		Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11		Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12		Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13		Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14		Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	20, 33, 34		Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15		General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2		General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16		General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3		Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4		Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5		Reporting Requirements -

**Division of Air Resources
Permit Review Report**

**Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025**

FACILITY	6NYCRR 201-6.4 (d) (4)	21	Deviations and Noncompliance Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	22	Operational Flexibility
FACILITY	6NYCRR 201-6.5 (a)	45	State Enforceable Requirements
FACILITY	6NYCRR 202-1.1	17	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.4 (a) (3)	23	Emission statement methods and procedures
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	46	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	24	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2 (d)	25	Sulfur-in-Fuel Limitation - Distillate Oil
U-00002	6NYCRR 227-1.4 (a)	40	Opacity Standard
U-00002	6NYCRR 227-2.5 (a)	41	Fuel switching option.
U-00001	6NYCRR 229.3 (a)	35	Petroleum fixed roof tank control requirements
U-00005/-/DCK/0PLAT	6NYCRR 229.3 (g) (1)	42	RACT variances
U-00001	6NYCRR 229.5 (a)	36	Recordkeeping - petroleum liquid fixed roof storage tanks
U-00001	6NYCRR 229.5 (d)	37	Recordkeeping - VOL storage tanks
FACILITY	6NYCRR 230.3 (a)	26	Submerged filling
FACILITY	6NYCRR 230.3 (b)	27	Minimizing vapor releases
FACILITY	6NYCRR 230.3 (c) (2)	28	Stage I vapor recovery system minimum requirements
FACILITY	6NYCRR 230.4 (a)	29	Gasoline dispensing site recordkeeping requirements

Applicability Discussion:

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

ECL 19-0301

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

6 NYCRR 200.6

Division of Air Resources
Permit Review Report

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

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

6 NYCRR 200.7

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

6 NYCRR 201-1.4

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

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

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

6 NYCRR 201-3.3 (a)

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

6 NYCRR Subpart 201-6

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

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

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

6 NYCRR 201-6.4 (a) (8)

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

6 NYCRR 201-6.4 (c)

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

6 NYCRR 201-6.4 (c) (2)

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

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

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

6 NYCRR 201-6.4 (d) (4)

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

6 NYCRR 201-6.4 (e)

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

6 NYCRR 202-1.1

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

6 NYCRR 202-2.5

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

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

department representatives.

6 NYCRR 211.2

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

6 NYCRR 215.2

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

40 CFR Part 68

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

40 CFR Part 82, Subpart F

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

Facility Specific Requirements

In addition to Title V, UNITED RIVERHEAD TERMINAL has been determined to be subject to the following regulations:

40 CFR 60.112 (a)

This citation requires the use of a floating roof and vapor recovery system for petroleum liquids stored at certain vapor pressures.

40 CFR 60.113 (a)

This citation states the recordkeeping requirements for Subpart K.

40 CFR Part 60, Subpart A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 63, Subpart A

The General Provisions in 40CFR63, Subpart A apply to facilities subject to other National Emission Standards for Hazardous Air Pollutants for Source Categories (NESHAP) regulations in 40 CFR 63. These rules are also known as MACT rules since they are based on attaining Maximum Achievable

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

Control Technology. Each MACT rule has a table or section that describe which portions of the General Provisions apply to facilities covered by that particular rule and which portions are overridden or do not apply. Note that NESHAP regulations found in 40CFR61 do **not** trigger the general provisions of 40CFR63.

40 CFR Part 63, Subpart ZZZZ

Subpart ZZZZ applies to reciprocating internal combustion engines. Sources subject to Subpart ZZZZ must limit emissions of carbon monoxide and formaldehyde. Sources must also comply with work practice standards and operating limits.

6 NYCRR 201-6.4 (f)

This section describes the potential for certain operational changes to be made by the facility owner or operator without first obtaining a permit modification. Changes made pursuant to this provision must meet all of the criteria described in this section to qualify for consideration as operational flexibility. The Department reserves the right to require the facility owner or operator to obtain a permit modification prior to making any changes at the facility pursuant to this section.

6 NYCRR 201-6.5 (a)

This subdivision states that the Department shall include state enforceable conditions in Title V permits. State enforceable conditions related to regulations developed pursuant to the Climate Leadership and Community Protection Act (CLCPA) and Article 75 of New York State Environmental Conservation Law may be included in future versions of this permit, as applicable.

6 NYCRR 202-2.4 (a) (3)

This regulation requires the facility to submit an annual emission statement.

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 225-1.2 (d)

This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 227-1.4 (a)

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

This subdivision sets the opacity standard for subject stationary combustion installations.

6 NYCRR 227-2.5 (a)

Fuel switching NOx RACT compliance option.

6 NYCRR 229.3 (a)

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

6 NYCRR 229.3 (g) (1)

This citation states the requirements for a RACT variance.

6 NYCRR 229.5 (a)

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

6 NYCRR 229.5 (d)

This section requires facilities subject to the requirements under Part 229.3, to maintain a record of the capacity of the volatile organic liquid storage tanks, in gallons, for a period of 5 years.

6 NYCRR 230.3 (a)

This citation states the requirement for submerged filling at gasoline dispensing sites.

6 NYCRR 230.3 (b)

This citation states the actions that must be taken to minimize vapor releases at gasoline dispensing sites.

6 NYCRR 230.3 (c) (2)

This citation states the requirement to ensure the vapor-tight integrity and efficiency of the vapor collection and control system.

6 NYCRR 230.4 (a)

This citation states the recordkeeping requirements for gasoline dispensing sites.

**Division of Air Resources
Permit Review Report**

**Permit ID: 1-4730-00023/00030
Renewal Number: 3
03/27/2025**

Compliance Certification

Summary of monitoring activities at UNITED RIVERHEAD TERMINAL:

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

U-00001	38	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	25	work practice involving specific operations
U-00002	40	monitoring of process or control device parameters as surrogate
U-00002	41	intermittent emission testing
U-00001	35	record keeping/maintenance procedures
U-00005/-/DCK/OPLAT	42	monitoring of process or control device parameters as surrogate
U-00001	36	record keeping/maintenance procedures
U-00001	37	record keeping/maintenance procedures
FACILITY	27	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
FACILITY	29	record keeping/maintenance procedures

Basis for Monitoring

United Riverhead Terminal is a petroleum bulk storage facility located in the Town of Riverhead, Suffolk County. The facility operates several emission sources related to the storage and handling of various petroleum liquids including crude, residual, and distillate oils. These emission sources are regulated as discussed below:

Bulk Storage Tank Regulation:

The United Riverhead Terminal facility includes twenty bulk storage tanks of various sizes and ages. There are several regulations that potentially apply to these tanks, based on the date of their construction and their contents. The following is a summary of the tanks at the facility and the regulations that apply to them:

Tanks 1-3 and 9-13 have a storage capacity less than 300,000 barrels, and store distillate and residual fuel oil. As a result, these tanks are exempted from permitting as described in 6 NYCRR Part 201-3.2(c)(21).

Tanks 4 and 5 have capacities less than 100,000 barrels and are subject to 6 NYCRR Part 229.

Tanks 14-16 have capacities ranging from 250,000 to 415,000 barrels and were constructed after 1973. As a result, these tanks are subject to the requirements of 6 NYCRR Part 229 and 40 CFR 60 Subpart K. These tanks are also equipped with internal floating roofs.

Tanks 6-8, 17-19 and 21 have capacities greater than 300,000 barrels, store No.6 fuel oil/crude oil, and are subject to the requirements of 6 NYCRR Part 212. Tanks 17-19 and 21 are also equipped with internal floating roofs.

NOx RACT:

The boilers operated by United Riverhead Terminal are subject to the requirements for Reasonably Available Control Technology for Oxides of Nitrogen (NOx RACT) found in 6 NYCRR Part 227-2. Each of the three boilers operated at the facility is rated at 29 mmBtu/hr. Accordingly, the boilers are subject to the portions of Part 227-2 that apply to mid-size boilers, as described in Part 227-2.4(c). Since these boilers fuel switched from residual oil to natural gas the applicable presumptive RACT limit is 0.20 pounds of NOx per mmBtu.

**Division of Air Resources
Permit Review Report**

Permit ID: 1-4730-00023/00030

Renewal Number: 3

03/27/2025

VOC RACT:

United Riverhead Terminal's potential to emit volatile organic compounds exceeds the applicable major facility threshold. Accordingly, the facility is subject to the VOC RACT requirements of 6 NYCRR Part 229. The facility has met these requirements for its petroleum bulk storage operations and the onshore loading of petroleum liquids.

United Riverhead Terminal also operates an offshore loading platform and dock located approximately one mile off the shore of Long Island. The operations performed on the platform are a source of VOC emissions, and therefore must be evaluated for VOC RACT applicability. The analysis conducted by the facility demonstrates that the cost of installing an appropriate control device on the platform exceeds the cost effectiveness threshold established by the Department's DAR-20 guidance documents. Accordingly, the Department has granted United Riverhead Terminal a variance from the VOC RACT requirements of 6 NYCRR Part 229 for the operations conducted on the offshore loading platform.

Previous versions of this permit contained a VOC RACT variance that restricted the throughput of petroleum liquids to less than 5,000,000 barrels per year. This limitation was based on a series of calculations developed several years ago based on the facility's typical operations at the time, and equates to approximately 341 tons per year of potential VOC emissions. In order to provide the facility with operational flexibility, the revised variance limits the VOC emissions from the loading of petroleum liquids with vapor pressure greater than 1.5 psia at the platform to less than 341 tons during each 12-month period. The facility is required to maintain records and submit periodic reports that demonstrate compliance with this limit. This limitation is approximately equivalent to the historical throughput limitation.

United Riverhead Terminal is required to re-evaluate the calculations and other considerations that make up its VOC RACT analysis as part of each permit renewal application. Should a future VOC RACT analysis demonstrate that the cost of controls is less than or equal to the cost effectiveness threshold established by DAR-20, United Riverhead Terminal will be required to install the appropriate controls.