



COMMONWEALTH OF  
PUERTO RICO  
Environmental Quality Board

**TITLE V OPERATIONAL PERMIT  
AIR QUALITY AREA  
ENVIRONMENTAL QUALITY BOARD**



<b>Permit Number</b>	PFE-TV-4226-77-0397-0025
<b>Date of Receipt of Original Application</b>	March 26, 1997
<b>Date of Receipt of Buckeye Amendment</b>	June 30, 2011
<b>Final Issue or Effective Date</b>	August 31, 2016
<b>Expiration Date</b>	August 31, 2021

*CEG* In accordance with Part VI of the Regulations for the Control of Atmospheric Pollution (RCAP) and the Code of Federal Regulations (CFR) Title 40, Part 70 we authorize:

**BUCKEYE CARIBBEAN TERMINALS, LLC.  
YABUCOA, PUERTO RICO**

hereinafter, **Buckeye** or the **permit holder**, to operate a stationary emission source of air pollutants consisting of the units described in this permit. Until such time as this permit expires, is modified or revoked, Buckeye may generate pollutant emissions to the atmosphere resulting from processes and activities directly related to, and associated with the emission sources, as per the requirements, limitations and conditions of this permit or until such time as this permit expires, is modified or revoked.

The conditions in the permit will be enforceable by the federal and state governments. The requirements that may be only by the state government will be identified as such in the permit. A copy of the permit will be kept in the aforementioned facility at all times.

Cruz A. Matos Environmental Agencies Bldg.  
Urb. San José Industrial Park, 1375 Ponce de León Ave., San Juan, PR 00926-2604  
Postal Address: PO Box 11488, San Juan, PR 00910  
Tel 787-767-8181, Fax 787-767-4861  
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## Section I - General Information

### A. Information about the facility



Name of the Facility:	Buckeye Caribbean Terminals, LLC.
Postal address:	P.O. Box 186
City:	Yabucoa
State:	Puerto Rico
Zip Code:	00767-0186
Name of the Company:	Buckeye Caribbean Terminals, LLC.
Location of the facility:	PR 901 Km 2.7 Camino Viejo Ward Yabucoa, Puerto Rico
Responsible Official:	Hans Rutzen Callejas Terminal Director Buckeye Caribbean Terminals, LLC.
Telephone No:	(787) 893-2424, Ext. 2270
Fax:	(787) 893-3111
Primary SIC Code:	4226

### B. Description of the process

**Buckeye Caribbean Terminals, LLC. (Buckeye)** is located on PR-901, km 2.7 in the municipality of Yabucoa, Puerto Rico. The Puerto Rico Sun Oil Company was the owner and operator of the facility at the time the original operating permit application was filed on March 26, 1997. On January 23, 2002, the new owner and operator of the facility, Shell Chemical Yabucoa, Inc. (SCYI), filed a new operating permit application that reflected the changes in operation. After acquiring the SCYI facilities in 2010, Buckeye Caribbean Terminals LLC filed an amended operating permit application on June 27, 2011. Buckeye acquired the SCYI terminal facilities on December 10, 2010, which includes the obligations under Consent Decree No. 3:10 CV-1268, and by means of which **SCYI agreed to waive all permits related to the refinery process units.**

Buckeye is subject to the National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (40 CFR Part 63, Subpart R); the Standards of Performance for New Stationary Sources (40 CFR Part 60, Subparts XX and Kb), the National Emission Standards for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y), and the National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (40 CFR Part 63, Subpart ZZZZ) better known as RICE MACT. Buckeye must comply with 40 CFR Part 60, Subpart VV because it is established in the Consent Decree.

Buckeye is dedicated to the storage of crude petroleum and distilled petroleum products and the loading and distribution of fuels such as gasoline, diesel (fuel oil #2), jet fuel/kerosene, and residual fuel (fuel oil #6). For this, it has storage tanks for petroleum and other petroleum derived fuels, the terminal (replenishing) for loading tank trucks (loading rack), and a marine terminal. The terminal operates twenty-four (24) hours per day. The facility also includes a residual waters treatment plant located between the former refinery and the tank farm. The plant includes primary treatment for oil recovery. Secondary treatment facilities include wastewater biological treatment in a complete-mix activated sludge system. In addition, Buckeye also uses internal combustion engines including emergency power generators and fire-fighting pump engines which burn diesel fuel with maximum sulfur content limit of 0.0015% by weight.

Buckeye becomes a major source of atmospheric pollutants since it has the potential to emit volatile organic compounds (VOC) in excess of 100 tons per year and a combination of more than 25 tons per year of hazardous air pollutants (HAP).

## Section II - Description of the emission units

The emission units regulated under this permit are:

Emission Unit	Description	Emission Point	Control Equipment <sup>1</sup>
PS10	<b>Storage Tanks (Group A),<sup>2</sup></b> Group of 30 fixed roof storage tanks for storing distillates with true vapor pressure (TVP) less than 1.5 psia. These distillates include Jet Fuel, kerosene, diesel #2 and Residual #6 and other products with TVP less than 0.75 psia, as long as a new atmospheric pollutant is not emitted.	PT10	None

<sup>1</sup> See Appendix III for description of the Control Equipment

<sup>2</sup> For identification and description of each tank see Appendix II (A)(1).

Emission Unit	Description	Emission Point	Control Equipment <sup>1</sup>
PS12	<b>Storage Tanks (Group B)<sup>3</sup></b> Group of 4 internal floating roof storage tanks for storing volatile organic compounds (VOC) with vapor pressure above 0.75 psia and True Vapor Pressure (TVP) <b>less than or equal to 10.9.</b>	PT12	CD-04 Internal Floating Roof
PS13	<b>Storage Tanks (Group C)<sup>3</sup></b> Group of 11 internal floating roof storage tanks for storing volatile organic compounds (VOC) with vapor pressure above 0.75 psia and TVP <b>less than or equal to 10.9.</b>	PT13	CD-05 Internal Floating Roof
PS27	<b>Tank Maintenance</b> Maintenance emissions of the floating roof tanks described in units PS12 and PS13. These operations include roof landing and tank clean-up activities.	PT27	None
PS15	<b>Loading and Unloading Operations at the Marine Terminal.</b>  Transfer of crude oil (RVP 5)  Transfer of reformat/gasoline  Transfer of naphtha, diesel, heavy olefin feed, residual #6, and jet fuel/kerosene.	PT15	  Ocean going tankers with 98% efficiency vapor recovery system.  Ocean going tankers equipped with inert gas or vapor-free atmosphere  None
PS18	<b>Residual Wastewaters Treatment Plant</b> Processes stormwater that has been slightly contaminated by equipment. The plant includes primary oil recovery treatment. Secondary treatment facilities include wastewater biological treatment in a complete-mix activated sludge system.	PT18	None
PS21	<b>Tank Truck Loading Rack</b> Racks for filling fuel dispensing trucks.	PT21	CD-09 John Zink S3 AAW (carbon adsorption-absorption hydrocarbon vapor recovery unit) vapor recovery unit with minimum efficiency of 99.5%.

<sup>3</sup> For identification and description of each tank see Appendix II (A)(1). For allowed load and control equipment for each unit see Appendix II (A)(2) and Appendix III.

Emission Unit	Description	Emission Point	Control Equipment <sup>1</sup>
PS22	<p align="center"><b>Tank Truck Loading Rack</b></p> Racks for filling tank trucks with diesel fuel, jet fuel / kerosene and fuel oil #6.	PT22	None
FU01	<p align="center"><b>Fugitive Emissions</b></p> These emissions originate in terminal components including compressor pumps and valves. They are under the Leak Detection and Repair Program (LDAR)	Fugitive	None
PS30	Internal combustion engine for flood control system. Model NT-855-P. 320 hp engine capacity. Consumes diesel oil at a rate of 16.5 gallons per hour with maximum sulfur content of 0.0015% by weight. ID: EDP-005-09A	PT30A	None
PS30	Internal combustion engine for fire control system (Tank Farm). Model NT-380-IF. 380 hp engine capacity. Consumes diesel oil at a rate of 21.2 gallons per hour with maximum sulfur content of 0.0015% by weight. ID: EDP-006-30B	PT30B	None
PS30	Internal combustion engine for fire control system (Docks). Model H-6-IF. 135 hp engine capacity. Consumes diesel oil at a rate of 8.3 gallons per hour with maximum sulfur content of 0.0015% by weight. ID: EDP-001-03	PT30C	None
PS30	Internal combustion engine for fire control system (Tugboat Dock 1). Model NTTA855F. 481 hp engine capacity. Consumes diesel oil at a rate of 25.2 gallons per hour with maximum sulfur content of 0.0015% by weight. ID: EDP-001-16A	PT30D	None
PS30	Internal combustion engine for fire control system (Tugboat Dock 2). Model NTTA855F. 481 hp engine capacity. Consumes diesel oil at a rate of 25.2 gallons per hour with maximum sulfur content of 0.0015% by weight. ID: EDP-001-16	PT30E	None
PS30	Emergency generator internal combustion engine (#1) 749 hp engine capacity. Consumes diesel oil at a rate of 36.10 gallons per hour with maximum sulfur content of 0.0015% by weight.	PT30F	None
PS30	Emergency generator internal combustion engine (#2) 335 hp engine capacity. Consumes diesel oil at a rate of 12.10 gallons per hour with maximum sulfur content of 0.0015% by weight.	PT30G	None

*Handwritten blue scribbles and signatures on the left margin.*

### Section III – General Permit Conditions

1. **Sanctions and Penalties:** The permittee must comply with all terms, conditions, requirements, limitations and restrictions established in this permit. Any violation to the terms of this permit is subject to administrative, civil or criminal measures, as established in Section 16 of the Environmental Public Policy Act (Law No. 416 of September 22, 2004, as amended).
2. **Right of Entry:** As specified under Rules 103 and 603(c)(2) of the RCAP, the permittee shall allow the Board or an authorized representative, upon presentation of credentials and other documents as may be required by law, to perform the following activities:
  - a. Enter upon the permittee premises where an emission source is located or where emissions related activities are conducted, or where records must be kept under the conditions of this permit, under the RCAP, or under the Clean Air Act;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit, under the RCAP, or under the Clean Air Act;
  - c. Inspect and examine any facility, equipment (including monitoring and air pollution control equipment), practices or operations (including QA/QC methods) regulated or required under this permit; as well as sampling emissions of air quality and fuels; and
  - d. As authorized by the Clean Air Act and the RCAP, to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements.
3. **Sworn Statement or Affidavit:** All reports required pursuant Rule 103(D) of the RCAP (i.e., semiannual monitoring reports and annual compliance certification) should be submitted together with a sworn statement or affidavit by the Responsible Official or a duly authorized representative. Such sworn statement or affidavit shall attest to the truth, correctness and completeness of such records and reports.
4. **Data Availability:** As specified under Rule 104 of the RCAP, all emission data obtained by or submitted to the EQB, including data reported pursuant to Rule 103 of the RCAP, as well as that obtained in any other way, shall be available for public inspection and may also be made available to the public in any additional manner that the EQB may deem appropriate.
5. **Emergency Plan:** As specified under Rule 107(C) of the RCAP, any source which may release, leak or emit toxic or hazardous substances into the atmosphere shall prepare and submit to the Board an Emergency Response Plan according to the provisions set forth in Section 2 of Rule 107(C) of the RCAP. The plan shall be submitted within the next 60 days of the permit and shall be available for review by any authorized representative of the EQB at any time. AS required by Rule 107(C)(3) of the RCAP, the owner or operator shall

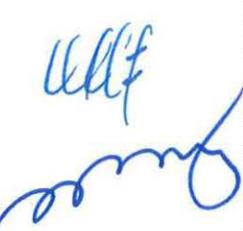
maintain the emergency response plan current and all involved personnel trained and knowledgeable of emergency response duties and functions related to the Plan. The owner or operator shall keep the emergency response plan accessible to all involved personnel and shall present it to the representative of the Board, upon request, as established in Rule 107(C)(4) of the RCAP.

6. **Air Pollution Control Equipment:** The permittee shall comply with Rule 108 of the RCAP, as follows:

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- A. All air pollution control equipment or control measures shall provide for continuous compliance with applicable rules and regulations. Such equipment or measures shall be installed, maintained, and operated according to those conditions imposed by this Title V permit, within the specified operating limitations of the manufacturer.
  - B. The collected material from air pollution control equipment shall be disposed in accordance with applicable rules and regulations. The removal, manipulation, transportation, storage, treatment or disposal will be done in such or manner that shall not to produce environmental degradation, and in accordance with applicable rules and regulations.
  - C. The Board may require, when deemed appropriate to safeguard the health and welfare of human beings, the installation and maintenance of additional, complete and separate air pollution control equipment of a capacity equal to the capacity of the primary control equipment. Furthermore, the Board may require that such additional air pollution control equipment be operated continuously and conjunctionally with the primary air pollution control equipment.
  - D. All air pollution control equipment shall be operated at all times while the source being controlled is in operation.
  - E. In the case of a shutdown of air pollution control equipment for the necessary scheduled maintenance, the intent to shutdown such equipment shall be reported to the Board at least three days prior to the planned shutdown. Such prior notice shall include, but is not limited to the following:
    - (1) Identification of the specific source to be taken out of service with its location and permit number.
    - (2) The expected length of time that the air pollution control equipment will be out of service.
    - (3) The nature and quantity of emissions of air pollutants likely to be permitted during the shutdown period.

- (4) Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period.
  - (5) The reasons why it will be impossible or impractical to shutdown the operating source during the maintenance period.
- F. The permittee shall to the extent possible, maintain and operate at all times, including periods of start-up, shutdown and malfunction, any affected source, including equipment associated with air pollution control, consistent with the design specifications of the original manufacturer and in compliance with applicable rules and regulations and permit conditions.

7. **Compliance Certification:** As specified under Rule 602(c)(2)(ix)(C) of the RCAP, the permittee shall submit each year a compliance certification. This certification must be submitted to both the EQB and the Environmental Protection Agency (EPA)<sup>4</sup> no later than **April 1<sup>st</sup> of each year**, covering the previous calendar year. The compliance certification shall include, but is not limited to, the information required under Rule 603(c) of the RCAP as follows:

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- a. The identification of each term or condition of the permit that is the basis of the certification; and
  - b. The compliance status. Each deviation shall be identified and taken into account in the compliance certification; and
  - c. A statement indicating whether the compliance was continuous or intermittent; and
  - d. The methods or other means used for determining the compliance status with each term and condition, currently and over the reporting period consistent with sections (a)(3)-(5) of Rule 603 of the RCAP; and
  - e. Identification of possible exceptions to compliance, any periods which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (CAM) occurred; and
  - f. Such other facts as the Board may require to determine the compliance status of a source.

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<sup>4</sup> The certification to the EQB shall be mailed to: Manager, Air Quality Area, P.O. Box 11488, San Juan, P.R. 00910. The certification to the EPA shall be mailed to: U.S. Environmental Protection Agency, 48 Carr. 165 Suite 7000, Guaynabo, P.R. 00968-8073.

8. **Regulation Compliance:** As specified under Rule 115 of the RCAP, any violation to the RCAP, or to any other applicable rule or regulation, shall be grounds for the Board to suspend, modify, or revoke any relevant permit, approval, variance or other authorization issued by the Board.
9. **Location Approval:** As specified under Rule 201 of the RCAP, nothing in this permit shall be interpreted as authorizing the location or construction of a major stationary source, or the modification of a major stationary source, or a major modification of a significant source, without obtaining first a location approval from the Board and without first demonstrating compliance with the National Ambient Air Quality Standards (NAAQS). This permit does not allow the construction of new minor sources without the required permit under Rule 203 of the RCAP.
10. **Open Burning:** Pursuant to Rule 402 of the RCAP, the permittee shall not cause or permit the open burning of refuse in their premises except as established under paragraph (E) of such rule which authorizes to conduct training or research of firefighting techniques, as previously approved by the Board.
11. **Objectionable Odors:** As specified under Rule 420 of the RCAP, the permittee shall not cause or permit emissions to the atmosphere of any matter which produces an *objectionable* odor that can be perceived in an area other than that designated for industrial purposes. [This condition is enforceable only by the State]
12. **Permit Renewal Applications:** As established under Rule 602 (a)(1)(iv) of the RCAP, the permittee shall submit a permit renewal application applications for permit renewal shall be submitted at least 12 months prior to the date of permit expiration. A responsible official must certify all required applications consistent with paragraph (c)(3) of Rule 602 of the RCAP.
13. **Permit Duration:** As specified under Rule 603 of the RCAP, the following terms will apply during the duration of this permit:
  - (a) **Expiration:** This authorization shall have a fixed term of 5 years since the effective date. The expiration date will be automatically extended until the Board approves or denies a renewal application (Rule 605(c)(4)(ii) of the RCAP) but only in those cases where the permittee submits a complete renewal application at least twelve (12) months before the expiration date. [Rules 603 (a)(2), 605 (c)(2), and 605(c)(4) of the RCAP]
  - (b) **Permit Shield:** As specified under Rule 605 (c)(4)(i) of the RCAP, the permit shield may be extended until the time the permit is renewed if a timely and complete renewal application is submitted.

- (c) In case that this permit is subject to any challenge by third parties, the permit shall remain in effect until the time it is revoked by a court of law with jurisdiction in the matter.

14. **Recordkeeping Requirement:** As established under Rule 603(a)(4)(ii) of the RCAP, the permittee shall retain records of all required monitoring data and support information for a period of 5 years from the date of the monitoring sample, measurement, report, or application. The permittee shall maintain available in the facility, copies of all records of required monitoring information including the following:

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- i. The date, places- as defined in the permit, and the time of sampling or measurements;
  - ii. The date(s) analysis were performed;
  - iii. The company or entity that performed the analysis;
  - iv. The analytical techniques or methods used;
  - v. The results of such analysis; and
  - vi. The operating conditions as existing at the time of sampling or measurement.

15. **Semiannual Monitoring Reports/Samplings:** As established under Rule 603(a)(5)(i) of the RCAP, the permittee shall submit reports to the EQB of all required monitoring every 6 months, or more frequently if required by the Board or any other underlying applicable requirement. These reports cover two major elements. The first element is the summary of all periodic monitoring / sampling required in this permit. The second element requires that all deviations from permit conditions are clearly identified, summarized and reported to the Board. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official as established under Rule 602(c)(3) of the RCAP. The report covering the period from January through June shall be submitted no later than October 1 of the same year and the report covering the period from July through December shall be submitted no later than April 1 of the following year. Once the guidelines are developed by the Board, the permittee must use them to complete these reports.

16. **Deviations Reporting due to Emergencies:** According to Rule 603(a)(5)(ii)(a) of the RCAP, any deviation resulting from an upset (such as sudden malfunction or break-down) or emergency conditions, as defined in Rule 603(e) of the RCAP, must be reported within the next 2 working days from the time the emission limits are exceeded due to the emergency, if the permittee wishes to assert the affirmative defense authorized under Rule 603(e) of the RCAP. If the permittee raises the emergency defense upon an enforcement action, the permittee shall demonstrate that such deviation happens due to an emergency and that the Board was adequately notified. If such emergency deviation last for more than 24 hours, the affected units may be operated until the end of the cycle or 48 hours, whichever occurs first. The Board may only extend the operation of an emission source in excess of 48 hours, if the source demonstrates to the Board's satisfaction that the National Air Quality Standards have not been exceeded and that there is no risk to the public health.

17. **Deviation Reporting (Hazardous Air Pollutants):** The source shall act as specified in its Emergency Response Plan (established in Rule 107(C) of the RCAP), when such Plan has shown no significant impact on an area other than those that have been designated for industrial purposes or will cease operations immediately if there is a significant impact on an area other than those that have been designated for industrial purposes (state-only enforceable condition). In accordance with Rule 603(a)(5)(ii)(b) of the RCAP, the Board shall be notified within the next 24 hours if a deviation that results in the release of emissions of hazardous air pollutants for more than an hour in excess of the applicable limit occurs. For the discharge of any regulated air pollutant that continues for more than 2 hours in excess of the applicable limit, the permittee shall notify the Board within 24 hours of the deviation. The permittee shall submit to the Board, within 7 days of the deviation, a detailed written report which includes probable causes, time and duration of the deviation, remedial action taken and the steps you are following to prevent recurrence.
18. **Severability Clause:** As specified under Rule 603(a)(6) of the RCAP, the clauses in this permit are severable. In the event of a successful challenge to any portion of the permit in an administrative or judicial forum, or in the event any of its clauses is held to be invalid, all other portions of the permit shall remain valid and effective, including those related to emission limits, terms and conditions, be they specific or general, as well as monitoring, record keeping and reporting requirements.
19. **Permit Noncompliance:** According to Rule 603(a)(7)(i) of the RCAP, the permittee must comply with all conditions of the permit. Permit noncompliance constitutes a violation of the RCAP and will be grounds for taking the appropriate enforcement action, impose sanctions, revoke, terminate, modify, and/or reissue the permit, or to deny the permit renewal application.
20. **Defense not Allowed:** As specified under Rule 603(a)(7)(ii) of the RCAP, the permittee shall not allege as a defense in an enforcement action, that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
21. **Permit Modification and Revocation:** As specified under Rule 603(a)(7)(iii) of the RCAP, the permit may be modified, revoked, reopened, reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
22. **Property Rights:** As specified under Rule 603(a)(7)(iv) of the RCAP, this permit does not convey any property rights of any sort, nor does it grant any exclusive privilege.
23. **Obligation to Furnish Information:** As specified under Rule 603(a)(7)(v) of the RCAP, the permittee shall furnish to the EQB, within a reasonable time, any information that the EQB may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon

request, the permittee shall also furnish to the EQB copies of documents related to this permit.

24. **Prohibition on Default Issuance:** As specified under Rule 605(d) of the RCAP, it shall never be considered that a permit has been issued by default as a result of the EQB's failure to take final action on a permit application within 18 months. The EQB's failure to issue a final permit within 18 months should be treated as a final action solely for the purpose of obtaining judicial review in a state court.
25. **Administrative Permit Amendments and Permit Modifications:** As specified under Rule 606 of the RCAP, the permit shall not be amended nor modified unless the permittee complies with the requirements for administrative permit amendments and permit modifications as described in the RCAP.
26. **Permit Reopening:** As specified under Rule 608(a)(1), this permit shall be reopened and revised under the following circumstances:
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- (A) Whenever additional applicable requirements under any law or regulation become applicable to the permittee, when the remaining permit term is of 3 or more years. Such reopening shall be completed 18 months after promulgation of said applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to Rule 605(c)(4)(i) or Rule 605(c)(4)(ii) of the RCAP.
- (B) Whenever the EQB or the EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit.
- (C) Whenever the EQB or the EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
27. **Changes in Name or Responsible Official:** This permit is issued to **Buckeye Caribbean Terminals, LLC**. In the event that the company and/or facility change its name, the responsible official must submit an administrative amendment to this permit to reflect the change in name. If the event that the responsible official changes, the new responsible official must submit no later than 30 days after the change, an administrative amendment including a sworn statement in which he/she accepts and promises to comply with all the conditions of this permit.
28. **Changes in Ownership:** This permit is issued to **Buckeye Caribbean Terminals, LLC**. In the event that the company and/or facility is transferred to a different owner or change operational control and the Board determines that no other change in the permit is necessary, the new responsible official must submit an administrative amendment. The administrative amendment shall include a sworn statement in which the new responsible

official accepts and promises to comply with all the conditions of this permit, and a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee. This is not applicable if the Board determines that changes to the permit are necessary.

29. **Renovation Work/ Demolition:** The permittee shall comply with the provisions set forth in 40 CFR §61.145 and §61.150, and Rule 422 of the RCAP, and Regulations for the Processing of General Permits (General Permit for the Handling of Asbestos Containing Materials) when doing renovation or demolition activities of asbestos containing materials at the facility.
30. **Compliance Clause:** Under no circumstances does compliance with this permit exempt the permittee from complying with all other applicable state or federal laws, regulations, permits, administrative orders or applicable court orders.
31. **Requirements for Refrigerants (Climatologic and Stratospheric Ozone Protection):**
- a) In the event that the permittee has equipment or appliances, including air conditioning units, which use Class I or II refrigerants as defined in 40 CFR part 82, subpart A, Appendices A and B, the permittee shall take the necessary measures to ensure that all maintenance, service or repair services performed are done so according to the practices, certification and personnel requirements, disposition requirements, and recycling and/or recovery equipment certification requirements specified under 40 CFR part 82, subpart F.
- b) Owners/ operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.
- c) **Service on Motor Vehicles:** If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, subpart B, Servicing of Motor Vehicle Air Conditioners. The term motor vehicle as used in subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term MVAC as used in subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.
32. **Labeling of Products Using Ozone-Depleting Substances:** The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR part 82, subpart E.



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- a) All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR §82.106.
  - b) The placement of the required warning statement must comply with the requirements pursuant to 40 CFR §82.108.
  - c) The form of the label bearing the required warning statement must comply with the requirements pursuant to 40 CFR §82.110.
  - d) No person may modify, remove, or interfere with the required warning statement except as described in 40 CFR §82.112.

- 33. **Risk Management Plan:** If during the effectiveness of this permit, the facility is subject to the 40 CFR part 68, the permittee shall submit a Risk Management Plan according with the compliance schedule in the 40 CFR part 68.10. If during the effectiveness of this permit, the facility is subject to the 40 CFR part 68, the permittee shall submit a compliance certification with the requirements of part 68 as part of the annual compliance certification required under 40 CFR part 70, including the recordkeeping and the Risk Management Plan.
- 34. **General Duty:** The permittee has the general obligation of identifying hazards which may result from accidental releases of any controlled substance under section 112(r) of the Clean Air Act or any other extremely hazardous substance in a process, using appropriate hazard assessment techniques, designing, maintaining, and operating a safe facility and minimizing the consequences of accidental releases if they occur as required in section 112(r)(1) of the Act and Rule 107(D) of the RCAP.
- 35. **Roof Surface Coating:** Pursuant to Rule 424 of the RCAP, the permittee shall not cause or permit the roof surface coating by applying hot tar or any other coating material containing organic compounds without previous notification to the Board. The use of used oil or hazardous waste for roof surface coating is prohibited. This rule will not apply to activities where tar or sealing material is applied without heat and such material is asbestos-free. [State enforceable only]

36. **Fugitive Emissions:** Compliance with Rule 404 of the RCAP :

- a) The permittee shall use water or suitable chemicals for chemical stabilization and the control of dust in the demolition of a building or structures, construction operations, quarrying operations, the grading of roads, or the clearing of lands.
- b) The permittee shall not cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which the emissions originate.

37. **Emissions Calculations:** The permittee shall submit, on or before **April 1<sup>st</sup> of each year**, the actual or permissible emissions calculations for the previous natural year. The emissions calculations shall be submitted on the forms prepared by the Board for this purpose and the responsible official must certify all the information submitted as true, correct and representative of the permitted activity.

38. **Annual Fee:** As specified under Rule 610 of the RCAP, the permittee must submit an annual payment based on the emissions calculations for each regulated pollutant. The payment will be based on their actual emissions at a rate of \$37.00 per ton, unless the Board decides otherwise as permitted under Rule 610(b)(2)(iv) of the RCAP. This payment for the previous year must be made on or before **June 30 of each year**.

39. **New or Amended Regulation:** If federal or state regulation is promulgated or amended and the facility is affected by it, the owner or operator shall comply with the requirements of the new or amended regulation by the compliance date or granted extension of compliance date.

40. **Reports:** Unless a permit condition establishes otherwise, any requirement of information submittal to the Board shall be addressed to: Manager, Air Quality Area, PO Box 11488, San Juan, P.R. 00910.

41. **Reservation of Rights:** Except as expressly provided in this Title V permit:

- a. Nothing herein shall prevent Board or the EPA from taking administrative enforcement measures or seeking legal or equitable relief to enforce the terms of the Title V permits, including but not limited to the right to seek injunctive relief, and imposition of statutory penalties and/or fines.
- b. Nothing herein shall be construed to limit the rights of the Board or the EPA to undertake any criminal enforcement activity against the permittee or any person.
- c. Nothing herein shall be construed to limit the authority the Board or the EPA to undertake any actions in response to conditions that present an imminent and substantial endangerment to public health or welfare, or the environment

- d. Nothing herein shall be construed to limit the permittee's rights to administrative hearing and judicial appeal of termination/ revocation/ disputes over modification/ denial actions in accordance with regulations and the Environmental Public Policy Act.

42. It is prohibited to import, sell, offer, or dispense gasoline containing methyl tertiary butyl ether (MTBE), as provided by Act No. 16 of January 11, 2012 "Act to ban methyl tertiary butyl ether as an additive in the gasoline sold in Puerto Rico".

#### Section IV - Allowable Emissions

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The emissions described in the table below represent allowable emissions for the facility at the time of the permit application and will be used solely for payment purposes. According to EQB Resolution RI-06-02<sup>5</sup>, emission calculations will be based on actual Buckeye emissions; however, calculations based on the emissions allowable for the facility will be accepted. If Buckeye decides to use the allowable emission for the calculations, Buckeye will pay the same per tonnage fee than facilities that decide to use actual emissions for their calculations. In addition, when Buckeye applies for a modification, administrative change, or minor modification for its Title V permit, the source shall pay only those charges related to any increase in emissions (if any) per tonnage, based on the change and not on the previously agreed-upon total charges in accordance with Rule 610(a) of the RCAP.

Pollutant	Allowable Emissions (tons/year)
PM	1.3
SO <sub>2</sub>	1.168
NO <sub>x</sub>	20.3
CO	4.581
VOC	478.12
Lead (Pb)	0
CO <sub>2</sub> e	816.16
Total HAP <sup>6</sup>	32.3

<sup>5</sup> EQB Resolution – Title V operation fees and Title V Renewal permit fees payment procedure issued on March 20, 2006.

<sup>6</sup> Includes the following hazardous air pollutants: 2, 2, 4 TMP, benzene, toluene, xylene, butadiene, formaldehyde, acetaldehyde, acrolein, naphthalene, biphenyl, cresol, cumene, hexane, ethylbenzene, phenol, styrene. The import, sale, dispensing or offer of gasoline containing methyl tertiary butyl ether (MTBE) is prohibited by Public Law No. 16 of January 11, 2012, "Law prohibiting the use of gasoline additive methyl tertiary butyl ether in gasoline sold in Puerto Rico."

### Section V – Specific Permit Conditions

- i. Buckeye shall calculate total facility emissions on a monthly basis to determine if it is complying with Section IV of the Permit. Buckeye shall not exceed the aforementioned allowable emissions during any consecutive 12-month rolling period. The emissions of any 12-month rolling period will be calculated by adding the emissions for each month to the total emissions for the previous 11 months. [PFE-77-0811-0465-I-II-C]
- ii. To show compliance with the annual emission limits, Buckeye shall use the same calculation methodology used in the construction permit application. Any change in methodology must be approved beforehand by the EQB. [PFE-77-0811-0465-I-II-C]

#### A. OPERATIONAL CONDITIONS FOR STATIONARY TANKS [PFE-77-0811-0465-I-II-C]

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- i. The amount of fuel stored in the tanks listed in units PS10, PS12, and PS13 shall not exceed the maximum annual throughput established in Appendix II(A)(2) of the authorization herein, based on a 12-month rolling period.
  - ii. The permittee shall keep a monthly and annual record of the type, amount, and vapor pressure of the fuel stored in the tanks of units PS10, PS12, and PS13 listed in Appendix II(A)(2) of the authorization herein based on a 12-month rolling period. The volume of stored fuel (annual maximum load or throughput) for any 12-month rolling period will be calculated by adding the throughput of each tank to the throughput of the prior 11 months. Said record must be available in the facility at all times for inspection by Board technical personnel, as requested.
  - iii. A semiannual report shall be sent to the Board with a summary of the monthly amounts stored in each tank. The report for the period from January to June must be submitted no later than October first of the same year, and the report for the period from July to December must be submitted no later than April first of the following year.
  - iv. If the company wishes to change the type of material processed in the storage tanks or use them for other purposes not authorized in this permit, such that there is an increase in emissions or a new pollutant or a pollutant not previously emitted is emitted, it must submit a review or modification to construction permit PFE-77-0811-0465-I-II-C, as applicable, unless they are exempt under Rule 206 of the RCAP.
  - v. The permittee shall not store fuel with True Vapor Pressure (TVP) equal to or greater than 1.5 psia in the PS10 tanks.

- vi. The permittee shall not store fuel with TVP equal to or greater than 10.9 psia in the PS12 and PS13 tanks.
  
- vii. According to Rule 417 of the RCAP, no person shall place, store, or hold in any stationary tank, reservoir, or other container of more than 151,412 liters (40,000 gallons) capacity any volatile organic compounds unless such tank, reservoir, or other container is a pressure tank capable of maintaining working pressures sufficient, under normal operating conditions, to control vapor or gas loss to the atmosphere, or unless it is designed and equipped with one of the following vapor loss control devices.
  - a. A floating roof, consisting of a pontoon type, double deck type roof or internal floating cover, which will rest on the surface of the liquid contents to be equipped with seals to close the space between the roof edge and tank wall. **This control equipment shall not be permitted if the volatile organic compounds have a vapor pressure of 568 millimeters mercury (Hg) or 11.0 pounds per square inch absolute, or greater.** All measuring or sampling instruments must be hermetically installed to prevent leaks when the sampling is taking place.
  
  - b. A vapor recovery system, consisting of a vapor gathering system capable of collecting the volatile organic compounds, vapors, and gases discharged, and a vapor disposal system capable of processing such volatile organic vapors and gases so as to control their emission to the atmosphere. All tank gauging or sampling devices shall be gastight, when tank gauging or sampling is taking place.
  
  - c. Notwithstanding the requirements of paragraphs a and b above, the source shall comply with any other applicable federal requirements.

**B. REQUIREMENTS APPLICABLE TO FIXED ROOF TANKS (PS10) [PFE-77-0811-0465-I-II-C]**

- i. Buckeye shall provide appropriate maintenance to PS10 storage tanks. Maintenance shall be provided to the tanks and its accessory equipment following manufacturer recommendations or in accordance with best engineering practices. Compliance with maintenance shall be determined by reviewing the records and reports, reviewing performance test results, and inspections.
  
- ii. Storage tanks shall be visually inspected every six months to identify any defect that could lead to emissions to the atmosphere. Such defects include, but are not limited to the following: visible cracks, holes, or openings in the roof or between the roof and the

tank's walls, broken or cracked seals or gaskets and any small doors, access doors, or locking mechanism that is broken, cracked, or missing.

- iii. The permittee shall keep a record of all inspections performed to storage tanks which must include, but not be limited to, the following: date and time of inspection, tank identification, description of the defect, location of the defect, corrective action. Such records must remain in the facility at all time available for review by Board technical personnel.
- iv. The permittee shall submit a semiannual report to the Board including a summary of the inspections performed on each tank. The report for the period from January to June must be submitted no later than October first of the same year, and the report for the period from July to December must be submitted no later than April first of the following year.
- v. Tank inspection records shall be kept at the facility for at least five (5) years, except for the tank measurement and capacity record which must be kept for as long as the source exists.
- vi. Equipment, tank, or emission control equipment design documents shall be kept in the facility until replaced or until permanently removed from service.

 C. **SPECIFIC GASOLINE STORAGE AND DISTRIBUTION OPERATION CONDITIONS**

- i. **Buckeye Caribbean Terminals LLC** is subject to the National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities, 40 CFR Part 63, Subpart R.
  - 1. **SPECIFIC CONDITIONS OF 40 CFR PART 63 SUBPART R APPLICABLE TO PS-12 AND PS-13 TANKS** (*Internal floating roof tanks*<sup>7</sup>)
    - i. Group B (PS-12 Tanks) and group C (PS-13 Tanks) storage tanks of **Buckeye Caribbean Terminals LLC** are subject to all applicable requirements of 40 CFR Part 60, Subpart Kb and Part 63, Subpart R.
    - ii. Buckeye shall equip its storage tanks with an internal floating roof in accordance with the requirements of 40 CFR Section 60.112b(a)(1) to (4), except as provided in Section 60.112b(a)(1)(iv) to 60.112b(a)(1)(ix) and Section 60.112b(a)(2)(ii). [40 CFR §63.423(a)]

<sup>7</sup> And a design capacity greater than or equal to 151 cubic meters and maximum true vapor pressure equal to or greater than 5.2 kPa (0.75 psi) but less than 76.6 kPa (11.1 psi).

- iii. The internal floating roof must comply with the following specifications:
- a. 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 its supports, the process of filling, emptying, or refilling shall be continuous and shall be accomplished as rapidly as possible. [40 CFR §60.112b(a)(1)(i)]
  - b. The internal floating roof shall be equipped with one of the following closure devices between the wall of the storage vessel and the edge of the internal floating roof as per the specifications of 40 CFR Section 60.112(b)(a)(ii).
  - c. Each opening in a noncontact internal floating roof must comply with the specifications of 40 CFR Section 60.112b(a)(1)(iii).
- iv. The owner or operator shall visually inspect the internal floating roof, the primary seal, and the secondary seal, if any, prior to filling the tanks. If there are holes, tears, or other openings in the primary seal, the secondary seal, or the seal fabric or defects in the internal floating roof, or both, these shall be repaired before filling the storage vessel. [40 CFR §60.113b(a)(1)]
- v. For tanks equipped with a liquid-mounted or mechanical shoe primary seal, the owner or operator will visually inspect the internal floating roof and the primary seal or the secondary seal, if any, through manholes and roof hatches on the fixed roof at least **once every 12 months** after initial fill. [40 CFR §60.113b(a)(2)]
- vi. If during the inspections required during the previous condition it is determined that the internal floating roof is not resting on the surface of the volatile liquid inside the tank, 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. [40 CFR §60.113b(a)(2)]
- vii. If the owner or operator detects a failure during the required inspections that cannot be repaired within 45 days and the tank cannot be emptied within 45 days, a 30-day extension may be requested from the Board in the inspection report required in section 60.115b(a)(3). Such a request for extension must document

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that alternate storage capacity is unavailable and specify a schedule of actions the company will take to ensure that the tank will be repaired or emptied as soon as possible. [40 CFR §60.113b(a)(2)]

- viii. The owner or operator shall visually inspect the internal floating roof, the primary seal, the secondary seal (if any), gaskets, slotted membranes, and sleeve seals (if any) each time the storage vessel is emptied and degassed. If the internal floating roof has defects, the primary seal has holes, tears, or other openings in the seal or the seal fabric, or the secondary seal has holes, tears, or other openings in the seal or the seal fabric, or the gaskets no longer close off the liquid surfaces from the atmosphere, or the slotted membrane has more than 10% open area, the owner or operator shall repair the items as necessary so that none of the conditions specified in this paragraph exists before refilling the tank with volatile organic liquid. [40 CFR §60.113b(a)(4)]
- ix. In no event shall inspections conducted in accordance with the provision above occur at intervals greater than 10 years. [40 CFR §60.113b(a)(4)]
- x. The owner or operator shall notify the Board in writing at least **30 days prior** to the filling or refilling of the emptied and degassed tank to afford the Board the opportunity to have an observer present. If the inspection required was not planned and **Buckeye Caribbean Terminals, LLC** did not know about the inspection 30 days in advance to the refilling of the tank, they shall notify the Board at least **7 days prior** to the refilling of the storage vessel. Notification shall be made by telephone immediately followed by written documentation demonstrating why the inspection could not be planned or notified. [40 CFR §60.113b(a)(5)]
- xi. The owner or operator of fuel storage tanks shall keep records and furnish reports as specified in 40 CFR Section 60.115b, except that records shall be kept for at least 5 years. [40 CFR §63.428(d)]
- xii. The owner or operator shall send a letter to the EQB Air Quality Area and to the Environmental Protection Agency (EPA) notifying the initiation of tank operations, stamped by the US Post Office no later than **15 days** after the date on which operations start. The letter must include as an attachment a report describing the control equipment installed and certifying that the equipment meets all the specifications required in 40 CFR Sections 60.112b(a)(1) and 60.113b(a)(1) [40 CFR §60.115b(a)(1)]



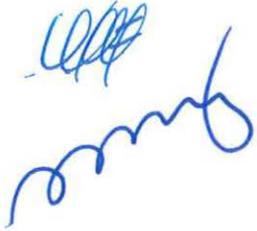
- xiii. The owner or operator shall keep a record of each inspection performed on the tanks. Each record shall identify the tank on which the inspection was performed and shall contain the date the tank was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings). [40 CFR §60.115b(a)(2)]
- xiv. The owner or operator shall send a letter to the EQB Air Quality Area and the EPA if a defect is detected during the annual inspection required by 40 CFR Section 60.113b(a)(2), **within 30 days** of the inspection. The report shall identify the tank, the nature of the defects, and the date the tank was emptied or the nature of and date the repair was made. [40 CFR §60.115b(a)(2)]
- xv. A copy of the tank inspection records shall keep accessible for at least **5 years**.
- xvi. The owner or operator shall keep readily accessible records of the size of the tanks and an analysis showing the capacity of the tanks for as long as the source is in operation. [40 CFR §60.116b(b)]
- xvii. The owner or operator shall maintain a record of the volatile organic liquid (VOL) stored in each tank, the storage period of the VOL, and the maximum true vapor pressure of that volatile organic liquid during the respective storage period. [40 CFR §60.116b(c)]
- xviii. The owner or operator shall keep a monthly and annual record with the type, amount and fuel vapor pressure stored in the tank. The record will be available to Board technical personnel for review. Data on storage temperature may be used to determine the maximum true vapor pressure. The procedures established in 40 CFR Section 60.116b(e) shall be followed when calculating the true vapor pressure.

## 2. OPERATION OF GASOLINE LOADING RACKS – PS21

- i. Gasoline loading racks for tank trucks must comply with all applicable requirements of 40 CFR Section 63.422.
- ii. Gasoline loading racks for tank trucks shall be equipped with a vapor collection system designed to collect the total organic vapors displaced from tank trucks during product loading. [40 CFR § 60.502(a)]
- iii. Buckeye must conduct a **performance test** on the vapor collection system according to the requirements of 40 CFR Sections 63.425(a), (b), and (c).

- iv. Each vapor collection system shall be designed to prevent the displacement of any organic vapors between the different gasoline loading racks. [40 CFR §60.502(d)]
- v. Buckeye's loadings of gasoline in the terminal shall be limited to vapor-tight gasoline tank trucks. To comply with this condition Buckeye must use following procedures: [40 CFR §60.502(e)]
  - a. The permittee shall obtain the documentation described in 40 CFR Section 63.428(b) for each gasoline tank truck which is to be loaded.
  - b. The permittee shall record the identification number of the tank of each gasoline truck dispatched.
  - c. Buckeye shall cross-check each tank identification number with the file of tank vapor tightness documentation within 2 weeks after the corresponding tank is loaded, unless any of the following conditions is observed:
    - 1. If less than an average of one gasoline tank truck per month over the last 26 weeks is loaded without the corresponding documentation, then the documentation cross-check shall be performed each quarter.
    - 2. If less than an average of one gasoline tank truck per month over the last 52 weeks is loaded without the corresponding documentation, then the documentation cross-check shall be performed semiannually.
    - 3. If either the quarterly or semiannual cross-check reveals that these conditions were not maintained, then Buckeye must return to biweekly cross-checking.
  - d. No later than one week after filling the tank truck, Buckeye shall notify the owner or operator of the tank truck that the identification number does not match the documentation on file. [40 CFR §60.502(e)(4)]
  - e. Buckeye shall take all necessary steps to ensure that a truck for which vapor tightness documentation has not been submitted will not be reloaded. This documentation is as follows: [40 CFR §63.422(c)(2)]
    - 1. The tank truck meets the Annual Certification Test required under 40 CFR Section 63.425(e).

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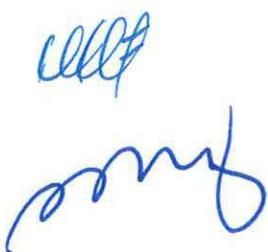
2. If the tank truck does not meet the Leak Detection Test or the Nitrogen Pressure Decay Field Test required under 63.425(f) or (g), then it must meet one the following tests:
  - i. Prior to performing repair work on the tank truck: It must meet the Nitrogen Pressure Decay Field Test or the Continuous Performance Pressure Decay Test required under 40 CFR 63.425(g) or (h).
  - ii. After performing the tank truck repair work or during the tests required under sections 63.425(g) or (h): It must subsequently pass the Annual Certification Test required under 40 CFR Section 63.425(e).
- f. Buckeye may limit the gasoline load on tank trucks using an alternate method described in this permit condition, when it applies for and obtains the corresponding approval from both the EQB and the Environmental Protection Agency (EPA). [40 CFR Section 60.502(e)(6)]
- vi. Buckeye shall ensure that the loading of gasoline tank trucks is made only into tanks equipped with vapor collection equipment that is compatible with the terminal's vapor collection system. [40 CFR Section 60.502(f)]
- vii. Buckeye shall assure that the terminal's and the tank truck's vapor collection systems are connected during each loading of a gasoline tank truck. [40 CFR Section 60.502(g)]
- viii. The vapor collection system and the gasoline loading system shall be designed and operated to prevent gauge pressure from exceeding 4,500 Pascals (450 mm of water) during gasoline loading. This level is not to be exceeded when measured by the procedures specified in section 60.503(d). [40 CFR Section 60.502(h)]
- ix. No pressure-vacuum valve in the vapor collection system shall begin to open at a pressure less than 4,500 Pascals (450 mm of water). [40 CFR Section 60.502(i)]
- x. Emissions from the vapor collection system of the loading of gasoline cargo tanks **shall not exceed** 10 milligrams of total organic compounds (TOC) per liter of gasoline transferred. [40 CFR Section 63.422(b)]
- xi. Buckeye shall install, calibrate, certify, operate, and maintain, according to the manufacturer's specifications, a continuous emission monitoring system (CEMS) to measure organic compound concentration in the exhaust air stream of the John Zink Vapor Recovery System. [40 CFR Section 63.427(a)(1)]

a) **FUGITIVE EMISSIONS**

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- i. Buckeye shall perform **monthly** leak inspections of all equipment in gasoline service. For this inspection, detection methods incorporating sight, sound, and smell are acceptable. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank. [40 CFR Section 63.424(a)]
  - ii. A log book shall be used and shall be signed by the owner or operator at the completion of each inspection. A section of the log shall contain a list, summary description, or diagram(s) showing the location of all equipment in gasoline service at the facility. [40 CFR Section 63.424(b)]
  - iii. Each detected leak shall be recorded in the log book. When a leak is detected, an initial attempt at repair shall be made as soon as practicable, **but no later than 5 calendar days** after the leak is detected. Repair or replacement of the part where the leak occurred shall be completed **within 15 days** after detection of each leak. [40 CFR Section 63.424(c)]
  - iv. The EQB or the EPA shall allow a delay in the repair upon a demonstration by the facility that repair within 15 days is not feasible. [40 CFR Section 63.424(d)]
  - v. As an alternative to compliance with the leak detection inspections, Buckeye may implement an instrument leak monitoring program that has been demonstrated to be at least equivalent. [40 CFR Section 63.424(f)]
  - vi. Buckeye shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. At least the following measures shall be taken: [40 CFR Section 63.424(g)]
    - a. Minimize gasoline spills;
    - b. Clean up spills as expeditiously as practicable;
    - c. Cover all open gasoline containers with a gasketed seal when not in use;
    - d. Minimize gasoline sent to open waste collection systems or recycling systems, such as oil/water separators.

**b) GASOLINE DISTRIBUTION AND STORAGE REPORTS, RECORDS  
AND FILE MAINTENANCE**

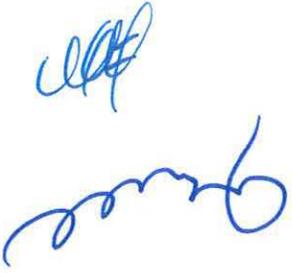
- i. Buckeye shall generate reports, records, and keep files related to the distribution and storage of gasoline in accordance with the applicable requirements of 40 CFR Section 63.428.
- ii. Buckeye shall keep records of the test results for each gasoline cargo tank loading gasoline at the facility: [40 CFR §63.428(b)]
- a. Annual certification testing performed under 40 CFR Section 63.425(e).
  - b. Continuous performance testing performed at any time at that facility under 40 CFR Sections 63.425 (f), (g), and (h)
- iii. The documentation file shall be kept up-to-date for each gasoline cargo tank loading at the facility. The documentation for each test shall include, at a minimum, the following information. [40 CFR §63.428(b)(3)]
- a. Name of the test.
  - b. Name and address of the cargo truck owner.
  - c. Cargo truck identification number.
  - d. Place and date of the test.
  - e. Name and signature of the person who performed the test.
  - f. Name, signature and affiliation of the inspector who acted as witness, if any.
  - g. Repair of hermetic seal: Nature of repair work and when performed in relation to the test.
  - h. Test results: pressure or vacuum change test, mm of water; duration of test; number of leaks found with instrument; and leak definition.
- iv. Buckeye shall keep an up-to-date, readily accessible record of the CEM data required under 40 CFR Section 63.427(a). This record shall indicate the time intervals during which transfers of gasoline cargo tanks have occurred or,



alternatively, shall record the operating parameter data monitored during such transfers. The date and time of day shall also be recorded at reasonable intervals on this record. [40 CFR §63.428(c)(1)]

- v. Buckeye shall keep a record and report simultaneously with the notification of compliance status required under 40 CFR Section 63.9(h) the following data: [40 CFR §63.428(c) (2)]
- a. All data and calculations, engineering assessments, and manufacturer's recommendations used in determining the operating parameter value under 40 CFR Section 63.425(b).
- vi. If Buckeye requests approval to use another vapor collection system or monitor an operating parameter other than that specified in Section 63.427(a), then the facility shall submit a description of planned reporting and recordkeeping procedures to the EQB and the EPA. [40 CFR §63.428(c)(3)]
- vii. Buckeye shall submit a semiannual compliance report to the EQB and the EPA regarding gasoline storage and distribution operations pursuant to 40 CFR Part 63, Subpart R. The report shall must include the following information:
- a. Each transfer of a gasoline cargo tank for which vapor tightness documentation had not been previously obtained by the facility.
- b. Cargo Tank periodic reports required under 40 CFR sections 63.428(d) and 60.115b.
- c. The number of equipment leaks not repaired within 5 days after detection of the leak.
- viii. In case of an excess emission event, Buckeye shall submit an excess emissions report to the Board in accordance with 40 CFR Section §63.10(e)(3). The following occurrences are excess emissions events and shall be included in the excess emissions report: [40 CFR §63.428(h)]
- a. Each exceedance or failure to properly maintain the monitored operating parameter value determined under 40 CFR Section 63.425(b). The report shall include the monitoring data for the days on which exceedances have occurred, and a description and timing of the steps taken to repair or perform maintenance on the vapor collection and processing systems or the CEMS and their duration.



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- b. Each instance of a non-vapor-tight gasoline cargo tank to which gasoline is being transferred at the facility for which Buckeye failed to take steps to assure that such cargo tank would not be reloaded with gasoline at the facility before obtaining vapor tightness documentation for that cargo tank.
  - c. Each reloading of a gasoline cargo tank at the facility before vapor tightness documentation for that cargo tank is obtained in accordance with 40 CFR Section 63.422(c)(2).
  - d. For each occurrence of an equipment leak for which the first repair attempt was not made within 5 days or for which repair was not completed within 15 days after detection the report shall also include the following information:
    1. The date on which the leak was detected;
    2. The date of each attempt to repair the leak;
    3. The reasons for the delay of repair; and
    4. The date of successful repair.

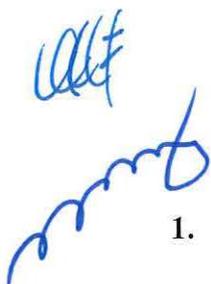
ix. As an alternative to keeping records at the facility of each gasoline cargo tank test result Buckeye may choose one of the following conditioned options: [40 CFR §63.428(k)]

- a. Keep an electronic copy of each record instantly available.
  1. The copy of each document must be an exact duplicate image of the original paper record with the signatures certifying the test.
  2. Buckeye shall notify the EQB and the EPA in writing that each terminal has such electronic copies in accordance with 40 CFR Section 63.428(k)(1).
- b. If Buckeye utilizes a terminal automation system to prevent gasoline loading in cargo tanks that do not have valid vapor tightness documentation (e.g., via a card lock-out system), a copy of the documentation shall be made available (e.g., via facsimile or other

means) for inspection by EQB or EPA representatives during the course of a site visit, or within a mutually agreeable time frame.

1. The copy of each record must be an exact duplicate image of the original paper record with test certifying signatures.
2. Buckeye must notify the EQB and the EPA in writing that the terminal has an automation system limiting gasoline loading to the trucks pursuant to 40 CFR Section 63.428(k) (2).

**D. TANK TRUCK LOADING RACKS – PS21 and PS22**

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- i. The operation of alternate control equipment is not allowed under this authorization. Should Buckeye consider installing or operating any additional equipment to that authorized in this permit it must request and obtain a review or modification, as the case may be, of the construction permit PFE-77-0811-0465-I-II-C under the procedures of Rule 203 of the RCAP.

**1. FUEL LOADING LIMITS**

- i. The loading rack or filling terminal for distillates PS21 and PS22 will load tank trucks with the maximum gallons per year of the fuels listed in the table below:

<b>Emission Units</b>	<b>Type of Fuel</b>	<b>Throughput maximum load capacity (bbl/year)</b>
PS21 <sup>8</sup>	gasoline	10,950,000
PS22	diesel	2,920,000
PS22	jet fuel/kerosene	5,476,190
PS22	fuel oil #6	730,000

- ii. Monthly records shall be kept with the amount of each fuel loaded (gasoline, diesel jet fuel/kerosene, fuel oil #6) in PS21 and PS22. The records will be available for inspection by Board technical personnel. The amounts of fuel loaded in the loading rack in any 12-month rolling period shall be calculated by adding the amount loaded on a monthly basis to the total loaded during the previous 11 months.
- iii. An average temperature record (using equation 1 of section 5.2 of AP-42) of fuel loaded in PS21 and PS22 shall be maintained. It will not exceed 76.61°F (9.38 psia) for all fuels

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<sup>8</sup>This amount was established according to the control equipment manufacturer guaranties (John Zink S3 AAW – Carbon Adsorption-Absorption Hydrocarbon Vapor Recovery Unit) which were based on an annual throughput of 10,950,000 bbl/yr.

except for jet fuel/kerosene which should not exceed 80°F. It must use these temperatures to perform the annual emission calculations required under the Title V program.

- iv. Should an increase in temperature above the authorized limit be observed, a construction permit modification must be requested to reflect the worse operational scenario based on the historical record of average temperatures.

**E. LEAK DETECTION AND REPAIR PROGRAM (LDAR Program-FU01)**

- i. Buckeye must develop and implement a Leak Detection and Repair Program (LDAR) pursuant to 40 CFR Part 60, Subpart VV following all instructions and procedures established in the Consent Decree in Civil Action Case No. 3:10-CV-1268 document.

- ii. Buckeye shall be subject to all applicable requirements of 40 CFR Part 60, Subpart VV. Leak Detection and Repair Program requirements shall be in effect until the termination date of Consent Decree No. 3:10-CV-1268, or for five years, whichever is later. The termination date shall be established after the EPA certifies that Buckeye has met all requirements of Consent Decree No. 3:10-CV-1268.

- iii. Buckeye shall perform leak detection tests as specified in 40 CFR Part 60, Subpart VV in: pumps in light liquid service (as defined in section 60.481 of 40 CFR), compressors, pressure relieve devices in gas/vapor service (as defined in section 60.481 of 40 CFR), valves in vapor gas service and in light liquid service following the sampling procedures established in Method 21 of Appendix A-7 of 40 CFR Part 60.

- iv. Buckeye shall use the definitions for leak established in 40 CFR Part 60, Subpart VV for all volatile organic compounds service components other than pumps or valves. For volatile organic compounds service components, pumps or valves, Buckeye shall use the following definitions in the Consent Decree in Civil Action Case No. 3:10-CV-1268 document:

Component	Instrument Reading
Valves	Greater or equal to 500 ppm
Pumps	Greater or equal to 2,000 ppm

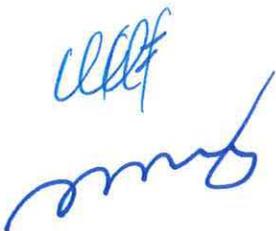
- v. Buckeye shall monitor all **pumps** in light liquid service on a **monthly** basis unless federal or state regulations require a more frequent monitoring.
- vi. Buckeye shall monitor all **valves** in light liquid service on a **quarterly** basis except for difficult-to-monitor valves, or unsafe-to-monitor valves, unless federal or state regulations require a more frequent monitoring.

- vii. When a leak is detected, Buckeye shall make a **first attempt at repair** as soon as practicable, but **no later than 5 calendar days** after leak detection. Repair or replacement of the part where the leak occurred shall be completed **within 15 days after leak detection**. Delays in repair shall be allowed only under the following conditions. [40 CFR §60.482-9]
- a) When Buckeye demonstrates it is technically impossible to complete the repair without shutting down process unit operations. In such case, the repair shall be completed before the next shutdown of operations of the unit.
  - b) When the equipment or part to be repaired is isolated from the process and is not in volatile organic compounds (VOC) service.
  - c) Valve repairs:
    - i. When Buckeye demonstrates the emission of pollutants, when purging material during the immediate repair of the valve shall be greater than the fugitive emissions resulting from delay of repair.
    - ii. When Buckeye completes the repair and all the purged material is collected, destroyed or recovered by a control device complying with 40 CFR Section 60.482-10.
  - d) Pump repairs:
    - i. When the repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and
    - ii. When the repair is completed as soon as practicable, but not later than 6 months after the leak was detected.
  - e) Delay of repairs beyond a process unit shutdown will be allowed for a valve, if valve replacement is necessary during the process unit shutdown, valve assembly supplies were depleted, and valve assembly supplies had been sufficiently stocked. Delay of repairs beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.
  - f) When delay of repairs are allowed for a leaking pump or valve that remains in VOC service, the pump or valve may be repaired and no longer subject to delay of



repair requirements if the **last two consecutive monthly** monitoring instrument readings were below the established leak definition.

viii. When a leak is detected in any volatile organic compounds service equipment Buckeye shall: [40 CFR §60.486(b)]

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- a) Identify the equipment with a readily visible waterproof label. The label shall be marked with the equipment identification number.
  - b) Remove the identification labels on a valve after it has been monitored for 2 consecutive months without a leak being detected.
  - c) Remove the labels on all equipment except valves, as soon as the leak has been repaired.

ix. Buckeye shall keep an itemized record all detected leaks in a log. The log must include at least the following information: [40 CFR §60.486(c)]

- a) The sampling equipment identification number and the ID number of the operator in charge of the sampling. The identification number of the equipment for which the leak was detected.
- b) The date the leak was detected and the dates of each attempt to repair the leak.
- c) Repair methods applied in each attempt to repair the leak.
- d) Indicate "above 10,000" if the maximum instrument reading was equal to or greater than 10,000 ppm.
- e) Indicate "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.
- f) The signature of the owner or operator of the facility (or designee) whose decision it was that the leak repair could not be effected without a process shutdown.
- g) The expected date of successful repair of the leak if a leak was not repaired within 15 days.
- h) Dates of process unit shutdowns that occurred while the equipment was unrepaired.

- i) The date of successful repair of the leak.
- x. The following information pertaining to all equipment in the LDAR Program shall keep an itemized record in a log (The log shall be kept in a readily accessible location): [40 CFR §60.486(e)]
- a) A list of identification numbers for all equipment.
  - b) A list of identification numbers for equipment that are designated as no detectable emissions under Sections 60.482-2(e), 60.482-3(i) and 60.482-7(f).
  - c) The signature of the owner or operator who designated the equipment as no detectable emissions.
  - d) A list of identification numbers for pressure relief valves required to comply with §60.482-4.
  - e) The dates of each compliance test for pumps designated as “no detectable emissions”.
  - f) A list of identification numbers for equipment in vacuum service.
  - g) A list of identification numbers for equipment that the owner or operator has designated as operating in VOC service less than 300 hr/yr in accordance with Section 60.482-1(e); a description of the conditions under which the equipment is in VOC service, and rationale supporting the designation that it is in VOC service less than 300 hr/yr.
- xi. All valves and pumps designated under Section 60.482-7(g) and (h) and 60.482-2(g) shall keep and itemized record in a log that is kept in a readily accessible location, with the following information: [40 CFR §60.486(f)]
- a) A list of identification numbers for valves and pumps that are designated as unsafe-to-monitor, an explanation for each such designation, and the plan for monitoring each valve or pump.
  - b) A list of identification numbers for valves that are designated as difficult-to-monitor, an explanation for each such designation, and the plan for monitoring each valve.



- xii. Buckeye must submit biannual compliance reports to the EQB for the Leak Detection and Repairs Program in accordance with 40 CFR Section 60.487.

## F. MARINE TERMINAL – PS15

### 1. FUEL TRANSFER<sup>9</sup> LIMITS

- i. The transfer of a maximum of **21,816,000 barrels of crude (RVP 5)** per year is authorized in ocean going tankers equipped with a vapor recovery system (98% efficiency).
- ii. The transfer of a maximum of **5,900,000** barrels of reformat/gasoline per year with maximum True Vapor Pressure (TVP) of 10.9 is authorized in ocean going tankers equipped with inert gas or vapor-free atmosphere as control system.
- iii. The transfer of a maximum of **233,000 barrels of naphtha** per year is authorized in barges not equipped with inert gas or vapor free atmosphere (inter-island).
- iv. The transfer of a maximum of **7,300,000 barrels of diesel** per year is authorized.
- v. The transfer of a maximum of **7,300,000 barrels of Fuel Oil #6** per year is authorized.
- vi. The transfer of a maximum of **7,300,000 barrels of heavy olefin** per year is authorized.
- vii. The transfer of a maximum of **2,920,000 barrels of jet fuel/kerosene** per year is authorized.
- viii. Under this permit, ballasting practices, including operations, discharges or storage of ballast waters are not authorized.

### 2. CONDITIONS APPLICABLE TO FUEL LOADING AND UNLOADING OPERATIONS

- i. Buckeye shall maintain the documentation corresponding to each barge loading and unloading in the marine terminal. This includes, but shall not be limited to: name, owner of the barge, dates and times of operation, tests performed and results, documents or bill of lading of shipment or delivery; for products with volatile organic compounds documents (e.g. gasoline, jet fuel, crude, or other volatile product) the fuel RVP must be stated.
- ii. Buckeye must meet the record maintenance requirement and emission calculations of sections 63.567(j)(4) and 63.565(l) of 40 CFR Part 63, Subpart Y. [40 CFR 63.560(3)]

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<sup>9</sup> Product values to ocean going tankers.

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- iii. Buckeye shall maintain records of annual emission estimates of hazardous air pollutants (HAP) during marine terminal fuel loading and unloading operations. Cargo exempted under 40 CFR Section 63.560(d) is excluded from the estimate. Emission estimates and factors shall be based on test data; should no test data be available, then they must be based on some type of measurement or estimation techniques generally accepted by the industry for the operational conditions of this emission source. Buckeye shall maintain the files for a minimum of 5 years. [40 CFR §63.565(l), 63.567(j)(4)]
  - iv. Buckeye shall maintain a record of throughputs in the marine terminal. The record shall include the list of the transfers by type of product transferred. At the end of each year it must calculate the total amount of product transferred. It must maintain the record in its files for 5 years. [40 CFR 63.567(j)(4)]
  - v. Buckeye shall meet all provisions of the Maximum Achievable Control Technology (MACT) for fuel loading operations in marine containers, pursuant to 40 CFR Section 63.560(a), only if the emissions in the marine terminal exceed 10 tons per year of a hazardous air pollutant (HAP) or 25 tons per year of any combination of several hazardous air pollutants.
  - vi. Buckeye shall notify the EQB and the EPA when emissions in the marine terminal exceed 10 tons per year of any hazardous air pollutant or 25 tons per year of any combination of several hazardous air pollutants. The notification must include a compliance plan pursuant to the Maximum Achievable Control Technology of 40 CFR Part 63, Subpart Y.
  - vii. Buckeye shall implement the provisions of the Reasonably Available Control Technology (RACT) of 40 CFR Section 63.560(b) and notify the EQB and the EPA, when transfers of fuel to marine containers **exceed an average** of 10 million barrels of crude per year or 200 million barrels of gasoline per year, in a 24 month period.
  - viii. The records must be available at the facility at all times for inspection by Board technical personnel, when required.

**3. VISIBLE EMISSION LIMITS:**

- i. Buckeye shall not cause or permit the emission of visible air pollutants of an opacity greater than 20 percent from any ship while it is anchored in any port, dock, terminal, or bay of the Commonwealth of Puerto Rico [Rule 403 C(1) of the RCAP]
- ii. Nevertheless, pollutants of up to 60 percent opacity may be emitted for a period of no more than four (4) minutes in any consecutive thirty (30) minutes interval. Compliance with visible emission limits shall be determined using Reference Method 9 or 9A of the EPA (40 CFR Part 60, Appendix A). [Rule 403 C(2) of the RCAP]
- iii. The Board reserves the right to require additional visible emission limits in order to show compliance with the opacity limit.

**G. SPECIFIC CONDITIONS FOR TANK MAINTENANCE (PS27)**

- i. Buckeye shall not exceed 29 roof landings of all tanks in any 12 month rolling period.
- ii. Buckeye shall keep a record of roof landing events and tank maintenance. The record shall include the following:
  - a. tank identification,
  - b. type of tank fuel,
  - c. date and time of each roof landing and in-tank maintenance,
  - d. if there is liquid in the tank, the partial liquid VOC pressure, time from beginning to end of the non-controlled degassing and total volumetric flow.
- iii. Emissions associated with tank maintenance activities (**roof landings**) shall be calculated using the methods described in Section 7.1.3.2 of AP-42 Compilation of Air Pollution Emission Factors, Chapter 7 – Storage of Organic Liquids dated November 2006 and the permit application.
- iv. At all times, including startup, shutdown, and malfunction, the owner or operator shall maintain any affected source, including the control equipment and the monitoring equipment connected to it, in accordance with good pollution control practices to minimize emission of pollutants to the atmosphere, according to 40 CFR Section 63.6(e) (1).
- v. Tank maintenance records shall be maintained for the facility for at least five (5) years and shall be available for inspection by Board technical personnel.

**H. STATIONARY INTERNAL COMBUSTION ENGINES (PS30)**

Condition	Parameter	Value	Units	Test Method	Method Frequency	File Requirements	Report Frequency
Opacity Limit Rule 403 of the RCAP	Opacity	20%	Percent average 6 minutes	Method 9	Once during the first permit year	With each reading	60 days after each reading
Fuel sulfur content limit in Rule 410 of the RCAP	Maximum sulfur content	0.0015	Percent by weight	Supplier certification, invoice, or bill of lading (if the fuel is dispatched at the facility)  Fuel purchase receipt (if the fuel is acquired in service stations acknowledged in the US, see conditions)	Each time the fuel is received	Sulfur percentage record	Monthly
Operation time limits	Schedule	500	Hrs/Yr each	Operation	Daily	Record	Monthly

**1. VISIBLE EMISSION LIMITS**

- i. Buckeye shall not exceed the 20% opacity limit for each unit in 6-minute average. However, pursuant to Rule 403(A) of the RCAP it may discharge visible emissions of up to 60% opacity for a period of no more than 4 minutes in any consecutive 30 minutes interval. [Rule 403(A) of the RCAP]
- ii. Buckeye shall hire an independent visible emissions reader certified by an EPA accredited school to perform one (1) opacity reading in each stack of each internal combustion engine during the first year of the permit using Method 9 described in Appendix A of 40 CFR Part 60. The equipment shall be in operation at the time of the opacity reading. [PFE-77-8011-0465-I-II-C]
- iii. Buckeye shall submit to the Board a copy of the format to be used to record the visible emission readings at least thirty (30) days prior to the initial opacity reading.
- iv. It shall notify the board fifteen (15) days prior to the initial sampling under Method 9 to afford the Board an opportunity to have an observer present [Rule 106(D) of the RCAP]
- v. It shall submit to the Board two (2) copies of the report of the initial sampling results under Method 9 within 60 days of the tests. The report shall include the information required under Rule 106(E) of the RCAP. The requirements of subsequent readings shall be submitted in the readings summary to be filed with the semiannual report required under this permit.

- vi. The Board reserves the right to require additional visible emission readings to demonstrate compliance with the opacity limit.

**2. OPERATING HOURS LIMIT [PFE-77-8011-0465-I-II-C]**

- i. The maximum operating hours for the emergency engines in unit PS30 is 500 hours/year each, according to the construction permit PFE-77-8011-0465-I-II-C. In order to maintain the emergency use category as specified in 40 CFR Part 63 Subpart ZZZZ, each engine is authorized to operate for a maximum of 100 hours per calendar year for any of the combination of the purposes specified in 40 CFR §63.6640(f)(2)(i) through (iii), and up to 50 hours of operation in non-emergency situations, as specified in 40 CFR 63.6640(f)(4). The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in section 63.6640(f)(2) of the 40 CFR, whereas these 100 hours of operation shall be counted as part of the 500 hours of operation limited in construction permit PFE-77-8011-0465-I-II-C.

- ii. Buckeye shall maintain a monthly record of the operating schedule, fuel consumption and fuel sulfur content in percent by weight for each engine in unit PS30. The operating schedule recorded in the meter shall be used to calculate cumulative fuel consumption on a monthly basis. The fuel consumption calculation for any consecutive 12-month period shall be calculated by adding the fuel consumption for each month. It shall be readily available at all times in the facility for review by Board technical personnel.

- iii. Buckeye shall send a semiannual report to the Board indicating monthly fuel consumption and sulfur content for each emission source included in Section II of this permit.

1. The report for the period from January to June must be submitted no later than October first of the same year, and the report for the period from July to December must be submitted no later than April first of the following year.

2. The report shall be sent to the attention of the Data Validation and Mathematical Modeling Division of the Evaluation and Strategic Planning Area. A copy of these reports shall be readily available at the facility for review by Board technical personnel.

**3. EMISSION LIMIT FOR SO<sub>2</sub> [PFE-77-8011-0465-I-II-C]**

- i. Buckeye will only use diesel with maximum fuel content of 0.0015% by weight in each internal combustion engine in unit PS30.

- ii. If the diesel fuel is loaded in the facility, Buckeye must obtain a supplier certification, an invoice or bill of lading including the fuel sulfur content. If the diesel fuel is acquired in service stations (e.g. gas stations), said station must be a brand known in the United States (e.g. Shell, Puma, Total, Texaco) and the permit holder shall maintain the record of fuel purchase together with the consumption record.

**4. NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES (40 CFR PART 63, SUBPART ZZZZ)**

**a. EXISTING EMERGENCY GENERATORS (INSTALLED PRIOR TO JUNE 12, 2006)**

- i. PS30 internal combustion engines are affected by Title 40 of the Code of Federal Regulations Part 63, Subpart ZZZZ: National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE, NESHAP) as defined in 40 CFR Section 63.6585(a), and therefore must meet the applicable requirements of such regulations by no later than **May 3, 2013**.

- ii. According to Table 2d of Subpart ZZZZ the owner or operator must:

- a. Change oil and filter every 500 hours of operation or annually, whichever comes first;
- b. Inspect air filter every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

- iii. According to 40 CFR §63.6625, the owner or operator must:

- a. operate and maintain the engine and the control equipment (in any) in accordance with written manufacturer instructions for emissions or prepare a maintenance plan that as far as possible shall provide for the maintenance and operation of the engine in a manner consistent with good air pollution control practices to minimize emissions.
- b. install a non-resettable hour meter if one is not already installed



- c. minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.
- iv. According to 40 CFR §63.6605, the owner or operator must operate the engine such that emissions are minimized.
- v. According to 40 CFR §63.6640, the owner or operator must operate and demonstrate compliance with the Management and Operations Practices of Table 6 of this Subpart.
- vi. To maintain the emergency generator classification owner or operator must comply with the use and operation limitations of 40 CFR §63.6640(f). For any engine operation that does not meet these requirements, the engine shall not be considered an emergency generator under this Subpart and shall be obliged to meet all non-emergency engine requirements.
- vii. The owner or operator must keep the applicable records as established in 40 CFR §63.6655(f).
  - a. Maintain a record of engine operating hours as registered in the non-resettable hour meter.
  - b. Document the hours it is used for emergency operations, including the reason why it was classified an emergency and the number of hours the engine operated in non-emergency situations.
  - c. If the engine is used for the purposes specified in 40 CFR §63.6640(f)(2)(iii) or §63.6640(f) (4)(ii), a record must be kept of the notification of emergency and the date, and time the emergency operation began and ended.
- viii. The permittee must keep an updated copy of the determination of applicability or non-applicability in the facility as per regulations in effect of 40 CFR Part 60, Subpart IIII and 40 CFR Part 60, Subpart ZZZZ for a period of five years for all internal combustion engines in the facility. The permit holder shall keep the documents that specifically and clearly establish the applicable requirements for each internal combustion engine. The documents must be kept readily available at the facility for a period of 5 years for review and inspection by the EQB and the EPA.

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- ix. Buckeye is responsible for the installation and/or operation of all facility engines even if they are leased. The permit holder shall obtain from the company from which it leases the engines all pertinent information to make sure each engine operates in compliance with all permit procedures and/or other applicable requirements.

**Section VI - Insignificant Emission Units**

Buckeye provided the following list of insignificant activities to better explain its operations and the distribution of its equipment. Buckeye shall include a list of insignificant activities that are exempted due to size or production and some of them may require a construction permit under Rule 203 of the RCAP.

Identification of the Emission Source	Description (Basis for exemption)
Re-roofing	Appendix B (3)(xviii) of the RCAP
Fire response personnel training activities	Appendix B (3)(xvi) of the RCAP
Painting	Appendix B (3)(ii) of the RCAP
Sandblasting operations	Appendix B (3)(xviii) of the RCAP
Cooling tower	Appendix B (3)(ii) of the RCAP
Diesel fuel distribution truck	Appendix B (3)(xxv) of the RCAP

**Section VII - Permit Protection**

 A. According to Rule 603(D) of the RCAP, compliance with the conditions of the permit shall be considered compliance with any other applicable requirement at the date it is issued, whenever said requirement is specifically identified in the permit. Likewise, any requirement specifically identified as “Non Applicable” in the permit shall be considered to be in compliance.

B. Non Applicable requirements

Inapplicable Requirements	Regulations	Reason for Inapplicability
National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.	40 CFR Part 63, Subpart CC	The facility eliminated the petroleum refinery.



Inapplicable Requirements	Regulations	Reason for Inapplicability
National Emission Standards for Benzene Waste Operations	40 CFR Part 61, Subpart FF	Does not apply. It only applies to refinery operations and the refinery is not in operation since July 15 2008 the date in which SCYI ended such operations. Currently, the existing equipment in the refinery is in the process of demolition and is not part of Buckeye's operations.
Standards of Performance for Stationary Compression Ignition Internal Combustion Engines	40 CFR Part 63, Subpart III	PS-30: Does not apply to engines manufactured on or before 2005.
Standards of Performance for Stationary Spark Ignition Internal Combustion Engines	40 CFR Part 63 Subpart JJJJ	PS-30: There are no authorized spark ignition internal combustion engines in the facility.
Particulate Matter Emission Limits for Fuel Burning Equipment	Rule 406 of the RCAP	Not applicable to PS-30 because these engines does not meet the definition for Fuel Burning Equipment of Rule 102 of the RCAP.
Volatile Organic Compound Emission Limits	-Part IV of Rule 419 of the RCAP  - Part IV of Rule 419 (D)(4) of the RCAP	-Does not apply to tanks covered under Rule 417 of the RCAP. - Buckeye is exempted because it is covered under 40 CFR 63, Subpart R.

**Section VIII - Permit Approval**

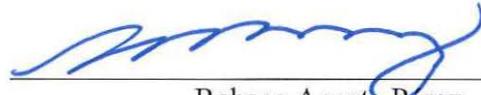
Pursuant to the powers granted to the Environmental Quality Board by the Environmental Public Policy Act, Public Law Number 416 of September 22 of 2004, as amended, and after verifying the administrative file and compliance with the Uniform Administrative Procedures Act, Public Law Number 170 of August 12, 1988, as amended, the US Clean Air Act, the Puerto Rico Environmental Public Policy Act, and the Regulations for the Control of Atmospheric Pollution of Puerto Rico, the Environmental Quality Board approves this permit subject to the terms and conditions stated therein.

In San Juan, Puerto Rico, August 24, 2016

**ENVIRONMENTAL QUALITY BOARD**

\_\_\_\_\_

\_\_\_\_\_  
María de los Ángeles Ortiz  
Alternate Member



\_\_\_\_\_  
Rebeca Acosta Pérez  
Vice President



\_\_\_\_\_  
Weldin F. Ortiz Franco  
President

10/1/14

**APPENDIX**

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## Appendix I Definitions and Abbreviations

### A. Definitions

1. Law – U.S. Clean Air Act, as amended, 42 U.S.C. 7401, et seq.
2. Responsible Official – See definition of Responsible Official of the Environmental Quality Board Regulations for the Control of Atmospheric Pollution (1995).
3. Regulations – Regulations for the Control of Atmospheric Pollution of the Environmental Quality Board.
4. Title V – Title V of the U.S. Clean Air Act (42 U.S.C. 7661)

### B. Abbreviations



AP-42	Compilation of Air Pollutant Emission Factors
Btu	British Thermal Unit
CEMS	Continuos Emission Monitoring Systems
CO	Carbon Monoxide
CO <sub>2</sub> e	Carbon Dioxide Equivalent
CFR	Code of Federal Regulations
EPA	Environmental Protection Agency
HAP	Hazardous Atmospheric Pollutants
EQB	Puerto Rico Environmental Quality Board
lbs	pounds
LDAR	Leak Detection and Repair
MACT	Maximum Achievable Control Technology

MMBtu	Million Btu
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>x</sub>	Nitrogen Oxides
NSPS	New Source Performance Standards
Pb	Lead
PM	Particulate matter
PM <sub>10</sub>	Particulate matter with aerodynamic mass diameter equal to or less than ten (10) microns.
RACT	Reasonably Available Control Technology
RCAP	Regulations for the Control of Atmospheric Pollution
RICE	Reciprocating Internal Combustion Engine
RMP	Risk Management Plan
SIC	Standard Industrial Classification
SO <sub>x</sub>	Sulfur oxides
SO <sub>2</sub>	Sulfur dioxide
TOC	Total Organic Compounds
TVP	True Vapor Pressure
VOC	Volatile Organic Compounds

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**C. Address for Notifications**

Permit Compliance and Modification Notifications

Puerto Rico Environmental Quality Board  
Air Quality Area  
PO Box 11488  
San Juan, PR 00910

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**APPENDIX II (A)(1) – DETAILED DESCRIPTION OF EACH TANK**

EMISSION UNIT	EMISSION POINT	CAPACITY (BARRELS)	HEIGHT (FEET)	DIAMETER (FEET)
PS10/PT10	TK 003-12	218,000	40	200
	TK 003-13	218,000	40	200
	TK 003-14	218,000	40	200
	TK 003-15	115,000	44	144
	TK 003-16	115,000	44	144
	TK 003-19	218,000	40	200
	TK 003-20	1,150	24	18.50
	TK 003-22	218,000	40	200
	TK 003-30	22,000	32	70
	TK 003-32	22,000	32	70
	TK 003-33	22,000	32	70
	TK 003-34	22,000	32	70
	TK 003-35	22,000	32	70
	TK 003-36	22,000	32	70
	TK 003-37	22,000	32	70
	TK 003-38	22,000	32	70
	TK 003-39	22,000	32	70
	TK 003-40	22,000	32	70
	TK 003-41	22,000	32	70
	TK 003-42	22,000	32	70
	TK 003-43	22,000	32	70
	TK 003-46	3,000	24	30
	TK 003-61	63,500	32	120
	TK 003-62	44,000	32	99
	TK 003-63	83,000	32	136
	TK 003-64	83,000	32	136
	TK 003-81	5,200	32	34
	TK 003-86	6,800	40	35
TK 003-87	6,800	40	35	
TK 003-89	10,000	40	42.41	
PS12/PT12	TK 003-11	218,000	40	200
	TK 003-31	22,000	32	70
	TK 003-44	45,000	40	90
	TK 003-91	204,000	48	180

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EMISSION UNIT	EMISSION POINT	CAPACITY (BARRELS)	HEIGHT (FEET)	DIAMETER (FEET)
PS13/PT13	TK 003-01	315,000	43.25	237
	TK 003-02	315,000	43.25	237
	TK 003-03	315,000	43.25	237
	TK 003-04	373,000	51.25	237
	TK 003-05	125,000	48	137
	TK 003-06	375,000	50	237
	TK 003-17	94,900	43.25	140
	TK 003-18	94,900	43.25	140
	TK 003-88	123,370	48	140
	TK 003-W1	70,000	32	125
	TK 003-W2	30,000	35.25	82

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**APPENDIX II(A)(2) – ALLOWED LOAD and CONTROL EQUIPMENT FOR EACH UNIT**

EMISSION UNIT	TANK	CONTROL EQUIPMENT	MATERIAL	MAXIMUM ANNUAL LOAD (GALLONS)
PS10/PT10	TK 003-12	Cone roof No controls	Distillate <sup>10</sup>	219,744,000
	TK 003-13	Cone roof No controls	Distillate <sup>11</sup>	175,000,000
	TK 003-14	Cone roof No controls	Distillate <sup>11</sup>	439,488,000
	TK 003-15	Cone roof No controls	Distillate <sup>11</sup>	175,000,000
	TK 003-16	Cone roof No controls	Distillate <sup>11</sup>	175,000,000
	TK 003-19	Cone roof No controls	Distillate <sup>11</sup>	109,872,000
	TK 003-20	Cone roof No controls	Distillate <sup>11</sup>	1,159,200
	TK 003-22	Cone roof No controls	Distillate <sup>11</sup>	439,488,000
	TK 003-30	Cone roof No controls	Distillate <sup>11</sup>	176,295,000
	TK 003-32	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-33	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-34	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-35	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-36	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-37	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-38	Cone roof No controls	Distillate <sup>11</sup>	175,000,000
TK 003-39	Cone roof No controls	Distillate <sup>11</sup>	175,000,000	

<sup>10</sup>Distillate consists of Jet Fuel/Kerosene, diesel fuel #2, residual fuel #6 and other material with TVP less than 0.75 psia as long as no new hazardous pollutant is emitted. Jet Fuel/Kerosene was used as the worst possible scenario for purposes of emission calculations.

EMISSION UNIT	TANK	CONTROL EQUIPMENT	MATERIAL	MAXIMUM ANNUAL LOAD (GALLONS)
PS10/PT10	TK 003-40	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-41	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-42	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-43	Cone roof No controls	Distillate <sup>11</sup>	22,176,000
	TK 003-46	Cone roof No controls	Distillate <sup>11</sup>	1,512,000
	TK 003-61	Cone roof No controls	Distillate <sup>11</sup>	128,016,000
	TK 003-62	Cone roof No controls	Distillate <sup>11</sup>	88,704,000
	TK 003-63	Cone roof No controls	Distillate <sup>11</sup>	176,295,000
	TK 003-64	Cone roof No controls	Distillate <sup>11</sup>	176,295,000
	TK 003-81	Cone roof No controls	Distillate <sup>11</sup>	34,070,400
	TK 003-86	Cone roof No controls	Distillate <sup>11</sup>	29,702,400
	TK 003-87	Cone roof No controls	Distillate <sup>11</sup>	29,702,400
	TK 003-89	Cone roof No controls	Distillate <sup>11</sup>	9,604,728
PS12/PT12	TK 003-11	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>11</sup>	476,112,000
	TK 003-31	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>12</sup>	44,564,730
	TK 003-44	Internal Floating Roof-Primary Seal	Volatile Organic Compounds <sup>12</sup>	98,280,000
	TK 003-91	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>12</sup>	205,632,000

<sup>11</sup> Volatile Organic Compounds consist of gasoline, airplane fuel, crude or other material with TVP of 10.9 psia or less as long as no new hazardous air pollutant is emitted. Gasoline was used as the worst scenario for calculating emissions.

EMISSION UNIT	TANK	CONTROL EQUIPMENT	MATERIAL	MAXIMUM ANNUAL LOAD (GALLONS)
PS13/PT13	TK 003-01	Internal Floating Roof-Primary Seal	Volatile Organic Compounds <sup>12</sup>	317,520,000
	TK 003-02	Internal Floating Roof-Primary Seal	Volatile Organic Compounds <sup>12</sup>	327,707,100
	TK 003-03	Internal Floating Roof-Primary Seal	Volatile Organic Compounds <sup>12</sup>	317,520,000
	TK 003-04	Internal Floating Roof-Primary Seal	Volatile Organic Compounds <sup>12</sup>	331,179,240
	TK 003-05	Internal Floating Roof-Primary Seal	Volatile Organic Compounds <sup>12</sup>	126,000,000
	TK 003-06	Internal Floating Roof-Primary Seal	Volatile Organic Compounds <sup>12</sup>	378,000,000
	TK 003-17	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>12</sup>	256,765,236
	TK 003-18	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>12</sup>	256,765,236
	TK 003-88	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>12</sup>	256,777,122
	TK 003-W1	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>12</sup>	70,560,000
	TK 003-W2	Internal Floating Roof-Secondary Seal	Volatile Organic Compounds <sup>12</sup>	65,520,000

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**APPENDIX III – DESCRIPTION OF CONTROL EQUIPMENTS**

Emission Point	Id. Control Equipment	Controlled Pollutant	Type	Manufacturer/ Model No.	% Design Removal Efficiency
PT12	CD04	VOC	Internal Floating Roof/ secondary seal (TK 003-11, TK 003-31, TK 003-44, TK 003-91) Internal Floating Roof/ primary seal	ALTECH/ULTR AFLOAT CORP	Not Applicable
PT13	CD05	VOC	-	ALTECH/ULTR AFLOAT CORP	Not Applicable
PT21	CD09	VOC	Vapor recovery unit with carbon adsorption absorption system.	JOHN ZINK/S3-AAW-4-100-100-10	99.5%
PT27	None	Not Applicable	Not Applicable	Not Applicable	Not Applicable

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**LEGAL AND FACTUAL BASIS – TITLE V PERMIT  
BUCKEYE CARIBBEAN TERMINALS, LLC.  
PFE-TV-4226-77-0397-0025**

**Buckeye Caribbean Terminals, LLC (Buckeye)** is located on PR-901, km 2.7 in the municipality of Yabucoa, Puerto Rico. The Puerto Rico Sun Oil Company was the owner and operator of the facility at the time the original operating permit application was filed on March 26, 1997. On January 23, 2002, the new owner and operator of the facility, Shell Chemical Yabucoa, Inc. (SCYI), filed a new operating permit application that reflected the changes in operation. After acquiring the SCYI facilities in 2010, Buckeye Caribbean Terminals, LLC filed an amended operating permit application on June 27, 2011. Buckeye acquired the SCYI terminal facilities on December 10, 2010, which includes the obligations under Consent Decree No. 3:10 CV-1268, and by means of which SCYI agreed to waive all permits related to the refinery process units.

Buckeye is dedicated to the storage of crude petroleum and distilled petroleum products and the loading and distribution of fuels such as gasoline, diesel (fuel oil #2), jet fuel/kerosene, and residual fuel (fuel oil #6). To such ends it has storage tanks for petroleum and other petroleum derived fuels, the terminal (replenishing) for loading tank trucks (loading rack), and a marine terminal. The terminal operates twenty-four (24) hours a day. The facility also includes a residual waters treatment plant located between the former refinery and the tank farm. The plant includes primary treatment for oil recovery. Secondary treatment facilities include wastewater biological treatment in a complete-mix activated sludge system. In addition, Buckeye also uses internal combustion engines including emergency power generators and fire-fighting pump engines.

Buckeye is a major source of atmospheric pollutants because it has the potential to emit volatile organic compounds (VOC) in excess of 100 tons per year and a combination of more than 25 tons per year of hazardous air pollutants (HAP). The import, sale, dispensing, or offer of gasoline containing methyl tertiary butyl ether (MTBE) is prohibited by Public Law No. 16 of January 11, 2012, “Law prohibiting the use of gasoline additive methyl tertiary butyl ether in the gasolines sold in Puerto Rico.”

## **Emission Units**

The Emission Units section lists the significant emission units, related control equipment, if any, and the type of fuel. This section provides a general description of the facility. The emission units are:

**PS10: Storage Tanks (Group A).** Group of 30 fixed roof storage tanks for storing volatile organic compounds (VOC) with vapor pressure above 0.75 psia and True Vapor Pressure (TVP) less than or equal to 10.9, as long as they do not emit a new hazardous air pollutant. These tanks do not have emission controls.

**PS12: Storage Tanks (Group B).** Group of 4 internal floating roof storage tanks for storing volatile organic compounds (VOC) with vapor pressure above 0.75 psia and True Vapor Pressure less than or equal to 10.9. These tanks have internal floating roof as control equipment.

**PS13: Storage Tanks (Group C).** Group of 11 internal floating roof storage tanks for storing volatile organic compounds (VOC) with vapor pressure above 0.75 psia and TVP less than or equal to 10.9.

**PS27: Tank Maintenance.** Maintenance emissions of the floating roof tanks described in units PS12 and PS13. These operations include roof landing and tank clean-up activities without control equipment.

**PS15: Loading and Unloading Operations at the Marine Terminal.** Include the transfer of crude oil (RVP 5) reformat/gasoline and naphtha, diesel, heavy olefin feed, residual, and jet fuel/kerosene. Ocean going tankers with a vapor recovery system with minimum 98% efficiency are used for the transfer of crude. Ocean going tankers equipped with inert gas or vapor-free atmosphere are used for the transfer of reformat/gasoline. For all other fuels no control mechanism is used.

**PS21: Tank Truck Loading Rack.** These are racks for filling gasoline dispensing trucks. They use a John Zink S3 AAW (carbon adsorption-absorption hydrocarbon vapor recovery unit) vapor recovery unit with minimum VOC removal efficiency of 99.5% as control equipment.

**PS22: Tank Truck Loading Rack.** These are racks for filling diesel fuel, jet fuel / kerosene and residual tank trucks. No control mechanism is used for loading these fuels.

**FU01: Fugitive Emissions.** These emissions originate in terminal components including compressor pumps and valves. They are under the Leak Detection and Repair Program (LDAR).

**PS30:** Internal combustion engines with five pump motors and two electric generators of 320 hp, 380 hp, 135 hp, 481 hp, 481 hp, 749 hp, and 335 hp capacity respectively. All engines are

considered to be existing since they were constructed and ordered before June 12, 2006, in a major HAP source. All of them burn diesel fuel with maximum sulfur content of 0.0015% by weight. Although 40 CFR Part 63 Subpart ZZZZ does not limit the yearly operating hours in an emergency, the PREQB construction permit limit yearly operating hours for each engine in this unit to 500 hours/year.

### Allowable Emissions

The emissions described in the table below represent the allowable emissions at the time of the permit application and will be used solely for payment purposes. According to Rule 610(a) of the Regulations for the Control of Atmospheric Pollutants (RCAP), when Buckeye applies for a modification, administrative change, or minor modification for its Title V permit, the source shall pay only those charges related to any increase in emissions (if any) per tonnage, based on the change and not on the total fees paid previously in accordance with Rule 610(a) of the RCAP. Allowable emissions were based on the potential emissions of its construction permit.

Pollutant	Allowable Emissions (tons/year)
PM	1.3
SO <sub>2</sub>	1.168
NO <sub>x</sub>	20.3
CO	4.581
VOC	478.12
Lead (Pb)	0
CO <sub>2e</sub>	816.16
Total HAP <sup>1</sup>	32.3

According to EQB Resolution RI-06-02<sup>2</sup>, emission calculations will be based on actual Buckeye emissions; however, calculations based on the emissions allowable for the facility will be accepted. If Buckeye decides to use the allowable emissions for the calculations, Buckeye will pay the same per tonnage fee than installations that decide to use actual emissions for their calculations.

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<sup>1</sup> Includes the following hazardous air pollutants: 2, 2, 4 TMP, benzene, toluene, xylene, butadiene, formaldehyde, acetaldehyde, acrolein, naphthalene, biphenyl, cresol, cumene, hexane, ethylbenzene, MTBE, phenol, styrene. The import, sale, dispensing or offer of gasoline containing methyl tertiary butyl ether (MTBE) is prohibited by Public Law No. 16 of January 11, 2012, "Law prohibiting the use of gasoline additive methyl tertiary butyl ether in gasoline sold in Puerto Rico."

<sup>2</sup> EQB Resolution – Title V operation fees and Title V Renewal permit fees payment procedure issued on March 20, 2006.

## **Applicable Requirements**

The table below summarizes the applicability of the principal air pollution regulatory programs to **Buckeye Caribbean Terminals, LLC**:

### **National Emission Standards for Hazardous Air Pollutants for Gasoline Distribution Facilities (40 CFR<sup>3</sup> Part 63, Subpart R).**

Buckeye is subject to 40 CFR Part 63, Subpart R, which applies to bulk gasoline terminals and pipeline breakout stations. Buckeye Group B (PS12) and Group C (PS13) gasoline storage tanks are subject to all applicable requirements of 40 CFR Part 63, Subpart R, and to 40 CFR, Part 60, Subpart Kb through reference of Subpart R.

The tank truck loading rack (PS21) has a maximum design capacity of 432,000 gallons per hour. This is equivalent to a maximum design capacity of 39 million liters of gasoline per day. According to the definitions in 40 CFR Section 63.421, a gasoline terminal with maximum design capacity **greater** than 75,700 liter per day is a bulk gasoline terminal.

### **Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006 (40 CFR Part 60, Subpart VV).**

This rule does not apply to Buckeye operations since it only applies to refinery operations and the refinery is not in operation since July 15, 2008, date when SCYI terminated said operations. The equipment currently in the facility is being demolished and is not part of Buckeye operations. However, Buckeye must comply with Subpart VV because it is so established in the Consent Decree. Buckeye must develop and implement a Leak Detection and Repair Program (LDAR) in accordance with 40 CFR Part 60 Subpart VV following all the instructions and procedures stipulated in the Consent Decree. Buckeye will implement the requirements of this section as part of the LDAR program of the facility.

### **National Hazardous Air Pollutants Emission Standards for Marine Tank Vessel Loading Operations (40 CFR Part 63, Subpart Y)**

Buckeye is subject to the recordkeeping and emission calculation requirements of 40 CFR Subpart Y, sections 63.567(j)(4) and 63.565(1) because crude transfer will be less than 200 million barrels/year, and gasoline transfer will be less than 10 million barrels/year. Buckeye's

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<sup>3</sup> CFR, Code of Federal Regulations.

Marine Terminal (PS15) has the potential to emit **8.31 tons of air pollutants per year**; therefore it will operate at less than 10 tons per year of any HAP or 25 tons per year of any HAP combination. If the Marine Terminal load<sup>4</sup> is equal or greater than 10 million barrels of gasoline or 200M barrels of crude oil in any 24 month period, Buckeye must implement the Reasonably Available Control Technologies (RACT) provisions of 40 CFR Part 63, Subpart Y. Buckeye has the fuel loading and unloading<sup>5</sup> capacity, however the fuel transfer limits for the PS15 operation scenario is for loading.

### **National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (40 CFR Part 63, Subpart ZZZZ)**

This subpart applies to any existing reciprocating internal combustion engine, new or reconstructed, located in HAP area sources or major sources. All the engines of unit PS30 are considered existing. The engines will be authorized emergency engines in the construction permit. Under these regulations requirements for existing engines include change of oil and filter and use records.

#### **The following requirements do not apply to Buckeye Caribbean Terminals LLC:**

- National Emission Standard for Benzene Waste Operations (40 CFR Part 61, Subpart FF): The provisions of this subpart apply to chemical manufacturing plants, coke by-product recovery plants, petroleum refineries, and hazardous waste treatment, storage and final disposal of these industries. This rule does not apply to Buckeye operations because it only applies to refinery operations. However, the refinery has not been in operation since July 15, 2008, date when SCYI ended said operations. The equipment currently in the facility is being demolished and is not part of Buckeye operations. For this reason the conditions of this subpart were eliminated for this permit.
- National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries (40 CFR Part 63, Subpart CC). This subpart does not apply since the petroleum refinery part was demolished and eliminated.
- The Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (40 CFR Part 60, Subpart IIII) apply to stationary compression ignition internal combustion engines ordered after July 11, 2005, and manufactured

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<sup>4</sup> Operations in which the oil is transferred by means of a pipeline from the on land storage tanks to the ships.

<sup>5</sup> Operations in which the oil is transferred by means of a pipeline from the ships to on land storage tanks.

after April 1<sup>st</sup>, 2006. This subpart does not apply to PS30 unit engines, because these were ordered before July 11, 2005.

- The New Sources Standards of Performance for Stationary Spark Ignition Internal Combustion Engines (40 CFR Part 60, Subpart JJJJ) apply to stationary spark ignition internal combustion engines. This subpart does not apply to PS30 unit engines, because they are compression ignition engines and not spark ignition engines.
- Particulate Matter Emission Limits for Fuel-Burning Equipment, Rule 406 of the RCAP does not apply to PS30 because these engines do not meet the definition of Fuel Burning Equipment of Rule 102 of the RCAP.
- Volatile Organic Compounds Emission Limits, Rule 419 of the RCAP does not apply to PS12 and PS13 because these tanks are covered by Rule 417 of the RCAP (Storage of Volatile Organic Compounds). It does not apply to PS10 because the vapor pressure of each tank is less than 0.75 psia (Exemption under Rule 417(D)(1) of the RCAP). It does not apply to any emission equipment or unit covered under any applicable federal rule or regulation or non-stationary sources.
- Storage of Volatile Organic Compounds, Rule 417 of the RCAP does not apply to PS10 because the vapor pressure of each tank is less than 0.75 psia (Exemption under Rule 419 (F)(8) of the RCAP).

For certification of compliance purposes for this source, reports must be submitted annually. Unless specifically established, all the terms and conditions of the Title V permit are enforceable by the EPA and by citizens under the US Clean Air Act. Terms and conditions, designated as enforceable only by the state, as indicated in the permit, are enforceable only by the EQB.

The EQB has determined that this Title V Operational Permit meets all the requirements of Part VI of the RCAP.

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