



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

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## FINAL AIR QUALITY OPERATING PERMIT

(Administrative Amendment to MBR-95-OPP-040, Transmittal 108362)

Issued by the Massachusetts Department of Environmental Protection ("The Department") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

### ISSUED TO ["the Permittee"]:

Global Companies LLC  
800 South Street  
PO Box 9161  
Waltham, Massachusetts 02454-9161

### INFORMATION RELIED UPON:

Application No. MBR-95-OPP-019A  
Transmittal No. X264275

### FACILITY LOCATION:

Global Companies LLC  
140 Lee Burbank Highway  
Revere, Massachusetts 02151

### FACILITY IDENTIFYING NUMBERS:

AQ ID No. : 1190487  
FMF FAC No. 52280  
FMF RO No. 161932

### NATURE OF BUSINESS:

Petroleum Bulk Storage and Distribution

SIC CODE: 5171

NIACS: 424710

### RESPONSIBLE OFFICIAL:

Name: Mr. Thomas Keefe  
Title: Vice President of EHS Operations

### FACILITY CONTACT PERSON:

Name: Mr. Thomas Keefe  
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This Operating Permit shall expire on December 16, 2009. (Note: Global Petroleum submitted an Operating Permit Renewal Application (MBR-95-OPP-019R) on June 15, 2009, followed by a revised Renewal Application on September 10, 2010. This Renewal Application is currently under review by MassDEP.)

For the Department of Environmental Protection, Bureau of Air and Waste

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Susan P. Ruch  
Deputy Regional Director, Bureau of Air and Waste

March 23, 2015  
Date

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# SPECIAL CONDITIONS FOR OPERATING PERMIT

## 1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt activities as described in 310 CMR 7.00:Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6 and to other terms and conditions as specified in this Permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this Permit.

## 2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this Operating Permit:

<b>Table 1 Emission Unit Identification</b>			
Emission Unit (EU)	Description of Emission Unit	EU Design Capacity	Pollution Control Device (PCD)
<b>Global Petroleum, 140 Lee Burbank Hwy.</b>			
P1-6	Distillate-fired boiler	6.25 mmBtu/hr	None
P1-7	Distillate-fired boiler	6.25 mmBtu/hr	None
P1-8	Distillate-fired boiler	6.25 mmBtu/hr	None
P2-1	Gasoline Truck Loading rack <sup>1</sup>	511,000,000 Gallons per Twelve Month Rolling Period	PCD-1 Activated Carbon Vapor Recovery System(ACVRS)
P2-3	Barge (Marine) Loading	*	
P2-4	Equipment Fugitive Emissions <sup>+</sup>	N/A	N/A
P2-5	Ship Ballasting	*	PCD-1,ACVRS
P4-1	Above Ground Storage Tank (AST), gasoline	3,360,000 gallon (gal)	PCD-2 Internal Floating Roof (IFR)
P4-3	AST	3,360,000 gal	PCD-3 IFR
P4-4	AST	3,360,000 gal	PCD-4 IFR
P4-5	AST	3,360,000 gal	PCD-5 IFR
P4-6	AST	3,360,000 gal	PCD-6 IFR
P4-7	AST	3,360,000 gal	PCD-7 IFR
<b>Global Revco, 186 Lee Burbank Hwy.</b>			
R2-4	Equipment Fugitive Emissions <sup>+</sup>	N/A	N/A
R4-17	AST	5,174,022 gal	PCD-11 IFR
R4-20	AST	6,001,548 gal	PCD-13 IFR
R4-21	AST	1,984,500 gal	PCD-14 IFR
R4-22	AST	1,983,240 gal	PCD-15 IFR

<b>Table 1 Emission Unit Identification</b>			
R4-23	AST	2,961,756 gal	PCD-16 IFR
<b>Global South, 96 Lee Burbank Hwy.</b>			
SA-31	AST	2,201,000 gal	PCD-17 IFR
SA-32	AST	2,199,000 gal	PCD-18 IFR
SA-33	AST	2,144,000 gal	PCD-19 IFR
SA-34	AST	2,296,000 gal	PCD-20 IFR
SA-38	AST	420,000 gal	PCD-21 IFR
SA-39	AST	3,148,000 gal	PCD-22 IFR

Key to terms:

MMBtu/hr = million British thermal units per hour

1 = Gasoline or other organic liquid with true vapor pressure equal to or greater than 1.5 pounds per square inch (psia)

\* = See Section Six -Alternative Operating Scenarios regarding Marine Loading and Ballasting

+ = Fugitive emissions can result from leaks from fittings, flanges, pumps; and miscellaneous small sources and activities that result in minor emissions

N/A = Not Applicable

### 3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following have been found to be Exempt activities as provided in 310 CMR 7.00: Appendix C(5)(h):

<b>Table 2 Exempt Activities</b>	
DESCRIPTION OF CURRENT EXEMPT ACTIVITIES	REASON
The list of current exempt activities is contained in the Operating Permit Application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the Department's Regional Office.	310 CMR 7.00: Appendix C(5)(h)

### 4. APPLICABLE REQUIREMENTS

#### A. EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

<b>Table 3 Emission Limits/Restrictions</b>					
EU #	Raw Material	Pollutant	Emission Limit/Standard	Restrictions (Rate)	Applicable Regulation(s) and/or Approval No.(s)
P2-1	Organic Liquid with VP > 1.5 psia (typically gasoline)	VOC/HAP	10 mg/L of gasoline dispensed averaged over one hour period for all gasoline tank truck and marine products transfers	511 million gallons of gasoline per rolling twelve month period	310 CMR 7.02, 310 CMR 7.24, MBR-99-IND-006, 40 CFR 63 R 40 CFR 60 XX
P2-3 <sup>1</sup>					
P2-5 <sup>1</sup>					

<b>Table 3 Emission Limits/Restrictions</b>					
EU #	Raw Material	Pollutant	Emission Limit/Standard	Restrictions (Rate)	Applicable Regulation(s) and/or Approval No.(s)
P2-4, R2-4, P4-1, P4-3, P4-4, P4-5, P4-6, P4-7, R4-17, R4-20, R4-21, R4-22, R4-23, SA-31, SA-32, SA-33, SA-34, SA-38, SA-39	Organic Liquid with VP > 1.5 psia	VOC/HAP	N/A	Shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time as provided in 40 CFR 63.424 and incorporated herein by reference.	310 CMR 7.24 40 CFR 63 R

\* Key to terms:

EU#	= Emission Unit Number	VOC	= volatile organic compounds
≤	= less than or equal to	HAP	= hazardous air pollutants
<	= less than	S	= Sulfur
>	= greater than	#	= number
%	= percent	No.	= number
lb/MMBtu	= pounds per million British Thermal Units	VP	= Vapor Pressure in l (psia)
mg/L	= milligrams per liter	psia	= pounds per square inch, actual
N/A	= Not Applicable		
1	= See Section Six -Alternative Operating Scenarios regarding Marine Loading and Ballasting		

## B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring, testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10), as well as applicable requirements contained in Table 3:

<b>Table 4 Monitoring/Testing Requirements</b>	
EU #	MONITORING/TESTING REQUIREMENTS
P2-1, P2-3*, P2-5*	Operate and maintain a certified continuous emissions monitoring system (CEMS) servicing the activated carbon vapor recovery system (ACVRS) as provided in Approval MBR-99-IND-006. The CEMS shall operate and be maintained as a compliance instrument and is therefore required to comply with the Quality Assurance (QA) requirements contained in the CFR 40 CFR Part 60, Appendix F. The CEMS shall be utilized to demonstrate compliance with the 10 mg/L emission limitation on a continuous basis, averaged over a one hour period. The CEMS shall include an electronic data logger or chart recorder, which will record the VOC outlet concentration along with its corresponding date and time on a continuous basis during the loading rack operation as provided in Approval MBR-99-IND-006 and incorporated herein by reference.
	Perform quarterly performance audits, one of which must be a relative accuracy test audit (RATA) or relative accuracy audit (RAA) as referenced in Approval MBR-99-IND-006.
	Perform calibration drift assessment daily as provided in 40 CFR Part 60, Appendix F and Approval MBR-99-IND-006 and incorporated herein by reference.
	Conduct emission testing on the ACVRS if and when the Department deems it necessary as provided in 310 CMR 7.13 and referenced in Approval MBR-99-IND-006.
	Ensure that each gasoline cargo tank truck loading at the facility has demonstrated that it meets the annual certification test requirements as provided in 310 CMR 7.24(4)b.
	Monitor daily and 12-month rolling period gasoline throughput in accordance with Approval MBR-99-IND-006 and according to the limits in Table 3 of this Operating Permit, as stated in Application MBR-95-OPP-019.
P2-4, R2-4,	Perform a leak inspection of all gasoline equipment in service utilizing sight, sound, and smell as acceptable detection methods monthly. Each piece of equipment shall be inspected during the loading of a gasoline cargo tank as provided in 40 CFR 63.424(a) and incorporated herein by reference.
P4-1, P4-3, P4-4, P4-5, P4-6, P4-7, R4-17, R4-20, R4-21, R4-22, R4-23, SA-31, SA-32, SA-33, SA-34, SA-38, SA-39	Perform inspections of internal floating roof tanks and associated control equipment according to 40 CFR 60.113(b) as provided in 40 CFR 63.425, and 310 CMR 7.24(1)(d)(5) & (6), incorporated herein by reference. This includes the inspection of covers and seals whenever the tanks are emptied for nonoperational reasons or once every five years for double seal tanks and once every ten years for single seal tanks, whichever is sooner.

**Table 4 Monitoring/Testing Requirements**

EU #	MONITORING/TESTING REQUIREMENTS
Facility Wide	Inspect and maintain each fuel utilization facility having an energy input capacity equal to or greater than 3 MMBtu/hr in accordance with manufacturer's recommendation and test for efficient operation at least once in each calendar year as provided in 310 CMR 7.04(4)(a)
	Monitor the Reid Vapor Pressure (RVP) for gasoline sold or supplied as provided in 310 CMR 7.24(5) and upon request by the Department, provide a sample or samples of gasoline in accordance with the methods listed in 310 CMR 7.24(5)(b)2.
	Perform Emissions Compliance Testing (Stack Testing), in accordance with 310 CMR 7.13, and 40 CFR Part 60, Appendix A or any other testing if and when requested by the Department or EPA.
	As required by 310 CMR 7.12, monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form.

Note: 40 CFR 63 Subpart R incorporates by reference, the applicable 40 CFR 63 Subpart A General Provisions, as specified in Table 1 to Subpart R.  
 \* See Section 6, Alternative Operating Scenarios, for specific requirements regarding Emission Units P2-3 (Marine Loading) & P2-5 (Ballasting). Requirements for these operations go into effect only if the facility completes modifications required as specified in Conditional Approval MBR-99-IND-006 and undertakes marine loading operations.

**Table 5 Record Keeping Requirements**

EU #	RECORD KEEPING REQUIREMENTS
P2-1, P2-3*, P2-5*	Copies of the CEMS operating records shall be maintained on-site and shall be made available for inspection by Department personnel upon request as referenced in Approval MBR-99-IND-006.
	Maintain records of all quarterly performance audits of the CEMS as referenced in Approval MBR-99-IND-006.
	Maintain a copy of the report of the stack testing performed to demonstrate compliance with the emission limits specified in Approval MBR-99-IND-006.
	Maintain records of all daily calibration and drift assessments on-site as referenced in Approval MBR-99-IND-006.
	Maintain a control system maintenance log. This log shall record all routine maintenance, and emergency repairs to the carbon adsorption system, and all testing of, screening of, and replacement of the activated carbon as referenced in Approval MBR-99-IND-006.
P2-1, P2-3*, P2-5*	Maintain adequate gasoline cargo tank truck vapor tightness test records on-site to demonstrate compliance with 310 CMR 7.24(4) and 40 CFR 63.422(c).
	Maintain adequate control equipment records such that compliance with applicable reporting requirements specified in 40 CFR 63.10 d and e, and 40 CFR 63.428 (g) can be demonstrated.
	Maintain records of all replacements or additions of components performed on the loading rack for a minimum of 5 years, as required in Approval MBR-99-IND-006, .
	Maintain records of daily and twelve month rolling period gasoline throughput as required in Approval MBR-99-IND-006.
P2-4, R2-4	Maintain adequate records of all monthly leak inspections on-site as provided in 40 CFR 63.424.
	Maintain a log book to contain a list, summary description or diagram(s) showing the location of all equipment in gasoline service and it must be signed by the owner or operator at the completion of each inspection as provided in 40 CFR 63.424, 63.428.
P4-1, P4-3, P4-4, P4-5, P4-6, P4-7, R4-17, R4-20, R4-21, R4-22, R4-23, SA-31, SA-32, SA-33, SA-34, SA-38, SA-39	Maintain all records and documentation on site to demonstrate compliance with 310 CMR 7.24(7)(d)2, 3, and 4 in a centralized location as provided in 310 CMR 7.24(7)(d), incorporated herein by reference.
	Maintain records for gasoline storage vessels according to 40 CFR 60.115b where applicable, as provided in 40 CFR 63.428 and incorporated herein by reference.
	Maintain records on-site of all testing results per 40 CFR 63 Subpart R and incorporated herein by reference.
Facility -Wide	For each fuel utilization facility, having a heat input equal to or greater than 3 MMBtu/hr, the results of inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near each emission unit, as provided in 310 CMR 7.04(4)(a) incorporated herein by reference.
	Maintain records of fuel samples and Reid Vapor Pressure (RVP) test results, when requested, such that the Department may perform an audit to determine compliance with the requirements in 310 CMR 7.24 (5).
	As required by 310 CMR 7.12, maintain records such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form and keep copies of Source Registration/Emissions Statement Forms submitted annually to the Department.
	Maintain the test results of any Emissions Compliance Testing (Stack Testing) performed in accordance with 310 CMR 7.13, and 40 CFR Part 60, Appendix A, or of any other testing required by the Department or EPA.

<b>Table 5 Record Keeping Requirements</b>	
EU #	RECORD KEEPING REQUIREMENTS
	In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain records of all monitoring data and supporting information required by this Operating Permit on site for five (5) years from the date of the monitoring sample, measurement, report or initial Operating Permit Application.

\* See Section 6, Alternative Operating Scenarios, for specific requirements regarding Emission Units P2-3 (Marine Loading) & P2-5 (Ballasting). Requirements for these operations go into effect only if the facility completes modifications required as specified in Approval MBR-99-IND-006 and undertakes marine loading operations.

<b>Table 6 Reporting Requirements</b>	
EU #	REPORTING REQUIREMENTS
P2-1, P2-3*, P2-5*	Any ACVRS malfunction which does not allow the ACVRS to maintain the BACT emission limitation of 10 mg/l of gasoline dispensed averaged over a one hour period, shall be promptly reported per 40 CFR 63 Subpart A and Approval MBR-99-IND-006 to this Regional Office by FAX at (617) 654-6510. Subsequently a written report shall be submitted to this Office at One Winter Street, Boston, Massachusetts 02108 within seven days of said occurrence as referenced in Approval MBR-99-IND-006.
	Submit quarterly, all performance audit results to this Regional Office, including the annual relative accuracy test audit (RATA) report, as required in Approval MBR-99-IND-006.
Facility- Wide	Global Petroleum Corporation shall submit written notification to this Office within 7 days of completing the connection of the positive displacement blower to the marine loading equipment, as required in Approval MBR-99-IND-006.
	Pursuant to the Department's authority through 310 CMR 7.00: Appendix C(9)(d) and in accordance with 310 CMR 7.00: Appendix C(10)(d), updated versions of the SOMP shall be submitted to the Department. The updated SOMP shall supersede prior versions of the SOMP.
	Upon the Department's request, any record relevant to the Operating Permit or to the emissions of any air contaminant from the facility shall be submitted to the Department within 30 days of the request or longer, if approved by the Department, as required by 310 CMR 7.00 Appendix C(10)(a).
	In the event of any activated carbon vapor recovery system (ACVRS) shutdown conditions, Global Petroleum Corporation shall cease operation of the associated gasoline loading rack. The rack and marine loading area shall remain inoperable until the ACVRS is properly operating again.
	Submit a Source Registration/Emissions Statement Form to the Department on an annual basis in accordance with 310 CMR 7.12.
	Submit by January 30 and July 30 for the previous six months respectively, a Semi-Annual Monitoring Data Summary Form and Certification to the Department as required by 310 CMR 7.00: Appendix C(10)(c).** If no deviations have occurred during the reporting period, the Facility only needs to submit the Semi-Annual Compliance Certification Form.
	Promptly report to the Department all instances of deviations from Permit requirements which are not otherwise reported to the Department by telephone or fax, within three days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C (10)(f). (See General Condition 25).**
	Submit Annual Compliance report to the Department and EPA January 30, as required by General Condition 10. All required reports must be certified by a responsible official as provided in 310 CMR 7.00: Appendix C(10)(h).**

\* See Section 6, Alternative Operating Scenarios, for specific requirements regarding Emission Units P2-3 (Marine Loading) & P2-5 (Ballasting). Requirements for these operations go into effect only if the facility completes modifications required as specified in Approval MBR-99-IND-006 and undertakes marine loading operations.

\*\* Forms available on the DEP web site:<http://www.state.ma.us/dep/bwp/daqc/aqforms.htm>

### C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

### D. REQUIREMENTS NOT CURRENTLY APPLICABLE

<b>Table 7 Requirements Not Currently Applicable</b>	
<b>Regulation</b>	<b>Description</b>
310 CMR 7.16	Reduction Of Single Occupant Commuter Vehicle Use
310 CMR 7.25	Consumer and Commercial Products

## 5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to the following special terms and conditions that are not contained in Tables 3, 4, 5, and 6:

Global Petroleum Corp shall adhere to the requirements set forth in Conditional Approval MBR-99-IND-006, dated April 30, 1999, including the following.

1. Global Petroleum Corporation, as required by Regulation 310 CMR 7.24(2)(d), shall only transfer organic material with a vapor pressure of 1.5 psia or greater under actual storage conditions into tank trucks which are in compliance with 310 CMR 7.24(4) - Tank Trucks.
2. That Global Petroleum Corporation shall incorporate the following CEMS hydrocarbon concentration levels into its SOMP: 1) a hydrocarbon concentration level of 0.64 percent, by volume, that is potentially greater than a 7 mg/L emission rate will initiate an audible alarm at the facility; 2) a hydrocarbon concentration level of 0.91 percent, by volume, that is potentially greater than the 10 milligram per Liter(mg/L) BACT emission limitation will initiate a shutdown of the facility's truck and marine loading operations. The hydrocarbon concentration levels are averaged over a one hour period for all gasoline loading rack product transfers.

These hydrocarbon concentration levels may be changed in Global Petroleum Corporation's SOMP by receiving written approval from the Department for a new concentration level that would initiate an audible alarm and/or a shutdown of the gasoline loading rack.

3. When, as a result of the Table 4, EU Nos. P2-4 and R2-4 and 40 CFR 63.424 requirements, a leak is detected, an initial attempt at repair shall be made as soon as practicable, but no later than 5 calendar days after the leak is detected. Repair or replacement of leaking equipment shall be completed within 15 calendar days after detection of each leak, except as provided in paragraph (d) of 40 CFR 63.424, which states that "Delay of repair of leaking equipment will be allowed upon a demonstration to the Administrator that repair within 15 days is not feasible". The owner or operator shall provide the reason(s) a delay is needed and the date by which each repair is expected to be completed.
4. Any net VOC emissions increases at the subject facility occurring over a period of 5 consecutive calendar years contemporaneous to the emission increases which equates to 25 or more tons of VOC shall become subject to Nonattainment Review, as per the requirements of 310 CMR 7.00 Appendix A.
5. Emission unit P2-1, P2-4, R2-4, P4-1, P4-3, P4-4, P4-5, P4-6, P4-7, R4-17, R4-20, R4-21, R4-22, R4-23, SA-31, SA-32, SA-33, SA-34, SA-38, SA-39 are subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" [as indicated in Table 1 to Subpart R of Part 63].
6. Global Petroleum Corporation shall submit written notification to this Office within 7 days of completing installation of the positive displacement blower on the activated carbon vapor recovery system (ACVRS) and the blower part of the marine loading equipment.



7. In the event of any ACVRS shutdown conditions, which listed below, Global Petroleum Corporation shall cease operation of the associated loading rack. The rack and marine loading are shall remain inoperable until the ACVRS is again operating in accordance with its plan approval. Global Petroleum Corporation shall immediately notify this Regional Office by FAX at (617)654-6685 and subsequently in writing at the above address within seven days of said occurrence. If required, the operation of the back-up recovery system must be approved in writing by the Department prior to its installation and use.
8. Global Petroleum Corporation shall notify this Regional Office by FAX at (617)654-6685 of each marine loading operation prior to the actual event, preferably within one business day.
9. The permittee is subject to the following special provision that is not contained in Table 3, 4, 5 and 6:

Global Petroleum has indicated that it is subject to the requirements of 42 U.S.C. 7401, §112(r) Accidental Release Prevention Requirements: Risk Management under Clean Air Act 112(r)(7), and did submit to the USEPA the facility's contingency plan for responding to an accidental releases of regulated substances.

## 6. ALTERNATIVE OPERATING SCENARIOS

In the event that Global Petroleum Corporation determines to begin performing marine loading operations at the subject facility, it shall adhere to the requirements set forth in Conditional Approval MBR-99-IND-006, 310 CMR 7.24(8), and this Operating Permit.

The installation of marine loading equipment shall be designed to comply with the applicable provisions contained in 310 CMR 7.24(8). Marine loading operations shall be performed under negative pressure to prevent the generation of fugitive emissions while loading gasoline into marine vessels. The negative pressure shall be created through the installation of a blower unit on the ACVRS return line which draws the vapor laden air out of the marine vessel and into the ACVRS. The blower unit is described in the Table below.

Proposed Equipment Installation		
Equipment Type	Manufacturer	Capacity Rating and Equipment Description
Blower	New York Blower	Centrifugal Fan rated @ 1,590 acfm @ ambient temperatures with a 15 hp motor

acfm = actual cubic feet per minute  
 hp = horsepower

The provisions of 310 CMR 7.24(8) specifically limit marine loading so that VOC emissions are reduced at least 95% by weight as compared to uncontrolled conditions when using a recovery device, such as the ACVRS. Since marine gasoline loading operations will be performed under negative pressure to capture all VOCs and the ACVRS is designed to meet an emission rate of less than or equal to 10 (mg/L) of gasoline dispensed, the proposed modifications to the existing ACVRS will provide greater than 95% by weight VOC reduction from uncontrolled conditions (according to the Environmental Protection Agency's document AP-42, uncontrolled emissions resulting from marine loading operations are equivalent to 410 mg/L).

As detailed in Conditional Approval MBR-99-IND-006 regarding the addition of marine loading capabilities, Global Petroleum Corporation shall retain flexibility to load gasoline into either tank

trucks or marine vessels such that the 24.5 tons of VOC emission increase is not exceeded (that aggregate facility-wide increases of VOC over the last 5 years have not exceeded 25 tons to trigger 310 CMR 7.00 Appendix A - Emission Offsets and Non-attainment Review). The throughput scenarios are based on the equation presented in the following Table. Global Petroleum Corporation shall load no more than 511 million gallons of gasoline per 12 month rolling period for the truck loading rack.

<b>Proposed Yearly Gasoline Throughput Limitations</b>	
<b>Equation *</b>	<b>Emission Limit for VOCs</b>
$9.6 \times 10^{-8} \text{ tons/gal (Y)} + 4.2 \times 10^{-8} \text{ tons/gal (Z)}$	$\leq 52.9 \text{ tons per 12 month rolling period}$

+ Legend to Abbreviated Terms and Symbols with Table 5:

Y = gallons of gasoline loaded per 12 month rolling period for truck loading operations

Z = gallons of gasoline loaded per 12 month rolling period for marine loading operations

\* Truck loading operations account for the 10 mg/L emission limitation on the ACVRS and 13 mg/L fugitive emissions generated by loading gasoline tank trucks. Marine loading operations only account for the 10 mg/L emission limitation on the ACVRS.

Emission Calculations;

$$13\text{mg/L} \times 3.785 \text{ L/gal} \times 1 \text{ lb}/454,000 \text{ mg} \times 1 \text{ ton}/2000 \text{ lbs} = 5.4 \times 10^{-8} \text{ tons/gal}$$

$$23\text{mg/L} \times 3.785 \text{ L/gal} \times 1 \text{ lb}/454,000 \text{ mg} \times 1 \text{ ton}/2000 \text{ lbs} = 9.6 \times 10^{-8} \text{ tons/gal}$$

$$10 \text{ mg/L} \times 3.785 \text{ L/gal} \times 1 \text{ lb}/454,000 \text{ mg} \times 1 \text{ ton}/2000 \text{ lbs} = 4.2 \times 10^{-8} \text{ tons/gal}$$

mg/L = milligrams per liter

L/gal = liter per gallon

lb/mg = pound per milligram

ton/lbs = tons per pounds

tons/gal = tons of VOC emissions per gallons of gasoline loaded

Global Petroleum Corporation has stated, and the Department has concurred, that the proposed modifications to the existing ACVRS continue to allow the facility to comply with BACT. Global has installed an electronic interlock system to prevent truck and marine loading operations whenever the "maximum" VOC outlet concentration measured by the on-site CEMS is exceeded. Global has also installed an audible alarm to alert facility personnel when the VOC outlet concentration reaches a level that corresponds to a 7 mg/L per hour emission rate. In addition, the proposed marine loading operation will be performed under negative pressure to prevent the generation of fugitive emissions while loading gasoline into marine vessels.

Global Petroleum Corporation, as required by Regulation 310 CMR 7.24(8), shall only transfer organic material during marine loading if the marine tank vessel is vapor tight or the tank vessel is loaded at less than atmospheric pressure as demonstrated by 310 CMR 7.24(8)(e)2.

Facility wide marine tank vessel emissions resulting from ballasting or cleaning of cargo tanks are subject to the emission limitations of 310 CMR 7.24(8)(c)1. only if emissions capture and control equipment is installed at the marine terminal in accordance with Conditional Approval MBR-99-IND-006.

## 7. EMISSIONS TRADING

- (a) Intra-facility emissions trading

The facility did not request intra-facility emissions trading in its Operating Permit Application.

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emissions trades, provided for in this Permit, may be implemented provided the Permittee notifies The United States Environmental Protection Agency (EPA) and the Department at least fifteen (15) days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2 is required to be submitted to the Department pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emissions trading

The Permittee did not request inter-facility emissions trading in its Operating Permit Application.

All increases in emissions due to emissions trading, must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et seq. (the "Act"), and provided for in this Permit.

## **8. COMPLIANCE SCHEDULE**

On December 19, 2003, the Permittee submitted a revised Operating Permit Application to the Massachusetts Department of Environmental Protection, Northeast Regional Office, Bureau of Waste Prevention – Attention Permit Chief, One Winter Street, 9<sup>th</sup> Floor, Boston, MA 02108 and to the United States Environmental Protection Agency, Region I, One Congress Street, Suite 1100 CAP, Boston, MA 02114-2023, Attention: Ida McDonnell. The revised Operating Permit Application included the following information:

- 1) Revised pages where applicable, for Parts B, C, E, F, and L (certification page).

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5. In addition, the Permittee shall comply with any applicable regulation that becomes effective during the Permit term.

## **GENERAL CONDITIONS FOR OPERATING PERMIT**

### **9. FEES**

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

### **10. COMPLIANCE CERTIFICATION**

All documents submitted to the Department shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

The Department will submit an "Operating Permit Reporting Kit" to the Permittee which contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring summary Report and Certification.

#### **(a) Annual Compliance Report and Certification**

The Responsible Official shall certify, annually for the calendar year, that the facility is complying with the requirements of this permit. The report shall be postmarked or delivered by January 30 to the Department and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by the Department to determine the compliance status of the source.

#### **(b) Semi-Annual Monitoring Summary Report and Certification**

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is complying with the requirements of this permit. The report shall be postmarked or delivered by January 30 and July 30 to the Department. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by the Department to determine the compliance status of the source.

## **11. NONCOMPLIANCE**

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act and is grounds for enforcement action, for permit termination or revocation; or for denial of an operating permit renewal application by the Department and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00 and civil penalties under M.G.L. c.111, §142A and 142B.

This permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this permit.

## **12. PERMIT SHIELD**

- (a) This facility has a permit shield provided that it operates in compliance with the terms and conditions of this permit. Compliance with the terms and conditions of this permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this permit.

Where there is a conflict between the terms and conditions of this permit and any earlier permit, the terms and conditions of this permit control.

- (b) The Department has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- (c) Nothing in this permit shall alter or affect the following:
  - (i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
  - (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
  - (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

### **13. ENFORCEMENT**

The following regulations found at 310 CMR 7.02(8)(h) Table 6, for wood only, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA, or citizens.

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by the Department, EPA and citizens as defined under the Act.

A Permittee shall not claim 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 this permit.

### **14. PERMIT TERM**

This permit shall expire on the date specified on the cover page of this permit, which shall not be later than the date five (5) years after the issuance of this permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

### **15. PERMIT RENEWAL**

Upon the Department's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the Department on the renewal application.

In the event the Department has not taken final action on the operating permit renewal application prior to this permit's expiration date, this permit shall remain in effect until the Department takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

### **16. REOPENING FOR CAUSE**

This permit may be modified, revoked, reopened, and reissued, or terminated for cause by the Department and/or EPA. The responsible official of the facility may request that the Department terminate the facility's operating permit for cause. The Department will reopen and amend this permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an operating permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any operating permit condition.

### **17. DUTY TO PROVIDE INFORMATION**

Upon the Department's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records that the Permittee is required to retain by this permit.

## **18. DUTY TO SUPPLEMENT**

The Permittee, upon becoming aware that any relevant facts were omitted or that incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The Permittee shall promptly, on discovery, report to the Department a material error or omission in any records, reports, plans, or other documents previously provided to the Department.

## **19. TRANSFER OF OWNERSHIP OR OPERATION**

This permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, liability between current and new Permittee has been submitted to the Department.

## **20. PROPERTY RIGHTS**

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

## **21. INSPECTION AND ENTRY**

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the Department and EPA to perform the following:

- (a) Enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor at reasonable times, any substances or parameters for the purpose of assuring compliance with the operating permit or applicable requirements as per 310 CMR 7.00 Appendix C.(3)(g)12.

## **22. PERMIT AVAILABILITY**

The Permittee shall have available at the facility at all times a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the permit, including any amendments or attachments thereto, upon request by the Department or EPA.

## **23. SEVERABILITY CLAUSE**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

## **24. EMERGENCY CONDITIONS**

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based<sup>1</sup> emission limitations specified in this permit as a result of an emergency<sup>2</sup>. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (a) an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was at the time being properly operated;
- (c) during the period of the emergency the Permittee took all reasonable steps as expeditiously as possible to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
- (d) the Permittee submitted notice of the emergency to the Department within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

## **25. PERMIT DEVIATION**

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<sup>1</sup> Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

<sup>2</sup> An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.



Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to section 24 of this permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6. of this Operating Permit shall supercede the following deviation reporting requirements, if applicable.

The Permittee shall report to the Department's Regional Bureau of Waste Prevention the following deviations from permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permit or other Approvals, where the parameter limit is identified by the permit or Approval as surrogate for an emission limit.
- Exceedances of permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other Approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other Approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available on the Department's web site: <http://www.state.ma.us/dep/bwp/daqc/aqforms.htm>. This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone or fax within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

## **26. OPERATIONAL FLEXIBILITY**

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit, and in compliance with all applicable requirements, provided the Permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

## **27. MODIFICATIONS**

- (a) Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).

- (b) Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).
- (c) Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).
- (d) No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this operating permit. A revision to the permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an operating permit revision under any other applicable requirement.

## **APPEAL CONDITIONS FOR OPERATING PERMIT**

This permit is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to the Department's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a permit.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

The Commonwealth of Massachusetts  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211

The request will be dismissed if the filing fee is not paid unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency) county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

The Department may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.