

**DEPARTMENT OF PLANNING  
AND NATURAL RESOURCES**



**AIR POLLUTION CONTROL PROGRAM  
AUTHORITY TO CONSTRUCT AND PERMIT TO OPERATE**

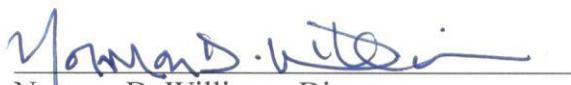
For:  
**LIMETREE BAY TERMINALS, LLC**

EFFECTIVE DATE ORIGINAL PERMIT: November 14, 2016  
EFFECTIVE DATE OF REVISED PERMIT: April 20, 2018

ORIGINAL PERMIT NUMBER: STX-895-AC-PO-16 (Marine Loading Project)  
REVISED PERMIT NUMBER: STX-895-AC-PO-18

THE PERMITTEE, LIMETREE BAY TERMINALS, LLC, IS SUBJECT TO ALL TERMS, CONDITIONS, LIMITATIONS, AND STANDARDS CONTAINED HEREIN. THE CONDITIONS IN THIS PERMIT ARE FEDERALLY ENFORCEABLE AND LOCALLY ENFORCEABLE.

Signed:

  
Norman D. Williams, Director

  
Date

## SECTION I: FACILITY INFORMATION

PERMITTEE: Limetree Bay Terminals, LLC  
#1 Estate Hope  
Christiansted, VI 00820

SIC CODE: 2911

PERMIT NUMBER: STX-895-AC-PO-16

FACILITY ADDRESS: #1 Estate Hope  
Christiansted, VI 00820

MAILING ADDRESS: #1 Estate Hope  
Christiansted, VI 00820

ISLAND: St. Croix

FACILITY CONTACT: Catherine Elizee  
Environmental Staff Engineer  
#1 Estate Hope  
Christiansted, VI 00820 (340) 692-3073  
email:CElizee@lbterminals.com

**LIMETREE BAY TERMINALS, LLC** submitted to the U.S. Virgin Islands Department of Natural Resources (“Department”) a permit application dated October 20, 2016 and an application for a revision dated November 20, 2017 proposing to install new larger pumps to reduce the loading time at existing marine docks when loading products stored in specific tank fields. This revision seeks the authority to construct an addition of a Single Point Mooring (“SPM”) to the existing marine docks to allow certain vessels to load/unload at maximum draft. These modifications are necessary to meet contractual obligations and to increase the commercial reliability of the terminal operations. In addition, **LIMETREE BAY TERMINALS, LLC** is proposing to install a dedicated Marine Vapor Combustion System (“MVCS”) as a control device to reduce by 98% the Volatile Organic Compound (“VOC”) emissions during gasoline/gasoline blendstocks loading at the marine docks. In this permit, the existing docks, the SPM and the MVCS will be referred to as the “Docks.”

**LIMETREE BAY TERMINALS, LLC** has proposed to construct, modify and operate the following equipment as outlined in Table 1.

**Table 1. Marine Loading Project Equipment Description**

Equipment	Description
MVCS	<p>New control device for marine gasoline/gasoline blendstocks loading consisting of a blower and appurtenances and coupled with a vapor combustion unit (Thermal Oxidizer H-1612).</p> <p>The MVCS will be designed to achieve 98 percent capture efficiency of marine vapors during gasoline/gasoline blendstocks loading at the docks.</p>
H-1612 Thermal Oxidizer	<p>Thermal oxidizer designed to achieve 99.9 percent VOC Destruction Removal Efficiency (“DRE”) and equipped with ultra-low nitrogen oxides (“NOx”) and carbon monoxide (“CO”) burners.</p> <p>The new thermal oxidizer will use propane only as assist gas.</p>
New Crude oil pumps/Modified Marine Loading Docks	<p>New pumps to increase marine loading rate of crude oil. Pumps will be electrically driven. Single Point Mooring (“SPM”).</p>
Marine Loading Appurtenances	<p>New piping, valves, pumps, connections, hoses, buoy etc., associated with the Marine Loading Project.</p>
Generating Turbines	<p>Existing GT-7, GT-8 and GT-9. The generating turbines will fire only commercial grade propane and/or No 2 Oil with a maximum sulfur content of 0.1 %. They are not being modified by this project, but the new pumps are expected to increase the power demand at the site.</p>

This Authority to Construct and Permit to Operate is issued under the authority of the Virgin Islands Air Pollution Control Act and Virgin Islands Rules and Regulations Title 12, Chapter 9, §206-26, §206-27 and §206-31 and permits the installation of the new pumps, the SPM and MVCS and the operation of this equipment.

## SECTION II: REGULATORY REQUIREMENTS

1. Based on the information submitted in the application and supporting documents for the Marine Loading Project **LIMETREE BAY TERMINALS, LLC** is subject to the regulations outlined in Table 2.

**Table 2. Applicable Regulations**

Regulation	Affected Source and Section
Virgin Islands Air Pollution Control Act, Rules and Regulations. Title 12, Chapter 9, Section §204-22 Visible Air Contaminants.	Thermal Oxidizer H-1612– §204-22(a) and (b)
Virgin Islands Air Pollution Control Act, Rules and Regulations. Title 12, Chapter 9, Section §204-23 Particulate Matter Emissions	Thermal Oxidizer H-1612 – §204-23(c)
Virgin Islands Air Pollution Control Act, Rules and Regulations. Title 12, Chapter 9, Section §204-25 Fugitive Emissions.	Area wide requirement
Virgin Islands Air Pollution Control Act, Rules and Regulations. Title 12, Chapter 9, Section §204-26 Sulfur Compounds Emission Control	Thermal oxidizer – §204-26(a)(1) Docks - §204-26(b)
40 CFR Part 60, Subpart A: General Provisions	Area wide requirement
40 CFR Part 60, Subpart GG: Stationary Gas Turbines	Existing generating turbines GT-7, GT-8 and GT-9
40 CFR Part 60, Subpart GGG: Equipment Leaks of VOC in Petroleum Refineries which construction, reconstruction or modification commenced after January 4, 1983, and or before November 7, 2006	New equipment in existing petroleum refinery process units.
40 CFR Part 60, Subpart GGGa: Equipment Leaks of VOC in Petroleum Refineries which construction, reconstruction or modification commenced after November 7, 2006	MVCS Compressor

Regulation	Affected Source and Section
40 CFR Part 63, Subpart A: General Provisions	Area wide requirement.
40 CFR Part 63, Subpart CC: Petroleum Refineries	Offshore loading terminal, and new equipment in existing petroleum refinery process units

2. In addition to the regulatory requirements summarized in Table 2 above, **LIMETREE BAY TERMINALS, LLC** shall comply with the provisions of 40 CFR §52.21(r)(6). The emissions units which could be affected by the projects authorized and permitted by STX-894-AC-PO-16 (Bitumen Storage and Transfer Facility), STX-896-AC-PO-16 (Heated Storage Project) and STX-895-AC-PO-16 (Marine Loading Project) are:

- (a) Generating turbines (GT-7, GT-8 and GT-9)
- (b) Docks
- (c) Thermal oxidizer (H-1612)
- (d) One 59 MMBtu/hr boiler (B-3309)
- (e) Heated storage tanks in crude oil service (TK-6801, TK-6802, TK-6803, TK-6804, TK-6805, TK-6806, TK-6807, TK-6808 and TK-6809)
- (f) Heated storage tanks in bunker fuels and No. 6 Oil/VGO service (TK-6811, TK-6812, TK-6813, TK-6817, TK-6818, TK-6819TK-6875, TK-6876, TK-6877, TK-7405, and TK-7416)
- (g) Two 12 MMBtu/hr boilers (B- 8501A/B)
- (h) Bitumen storage tanks (TK-8501 and TK-8517)
- (i) Bitumen day tanks (TK-8514, TK-8515 and TK-8516)
- (j) Bitumen truck loading rack

For a period of ten (10) years, **LIMETREE BAY TERMINALS, LLC** shall calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, of the NO<sub>x</sub>, CO, VOC, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub> and H<sub>2</sub>S/TRS emission from the emissions units listed in (a) to (j).

3. For the purposes of the foregoing Section II.2, the following provisions shall apply:

- (a) Annual emissions shall be based on:
  - i. Department or U.S. Environmental Protection Agency (USEPA) policies in effect, AP-42, or engineering estimates;

- ii. Actual data to determine the activity rate; and
- iii. Account for the control equipment.

Department and USEPA regulations and policies have established a hierarchy of emissions rate information to be used in calculation of emissions. Annual emissions shall be calculated using the most reliable emissions rates available.

- (b) STX-894-AC-PO-16 (Bitumen Storage and Transfer Facility), STX-896-AC-PO-16 (Heated Storage Project) and STX-895-AC-PO-16 (Marine Loading Project) (collectively, the “Aggregated Projects Permits”) contain provisions relevant to the calculation of emissions rates, such as stack testing or monitoring and recording of process parameters. **LIMETREE BAY TERMINALS, LLC** is authorized to use this information to comply with Section II.2 in the calculation of annual emissions.
- (c) Nothing in the Aggregated Projects Permits shall require **LIMETREE BAY TERMINALS, LLC** to monitor or record information relating to annual emissions in addition to the information required by the Aggregated Projects Permits.
- (d) Baseline Actual Emissions shall be those emissions set forth in in Table 3 “PSD Applicability Analysis – Step 1” of Attachment B of the permit application dated October 20, 2016.

### **SECTION III: SPECIFIC CONDITIONS FOR THE MARINE LOADING PROJECT**

The Marine Loading Project will consist of new larger pumps to reduce the loading time at existing marine docks when loading products stored in specific tank fields. It also includes the modification of existing loading/unloading docks by the addition of a SPM to supplement existing capabilities. The proposed pumps will be electrically driven and therefore, do not constitute a new source of direct stack or vent emissions at the site. Additionally, **LIMETREE BAY TERMINALS, LLC** is proposing to construct a MVCS as a pollution control device for VOC emissions associated with gasoline/gasoline blendstocks marine loading operations. Loading vapors collected at the MVCS will be routed to a new thermal oxidizer, which will combust the VOCs in the vapors.

#### **A. OPERATIONAL REQUIREMENTS**

1. Generating turbines GT-7, GT-8 and GT-9 are subject to 40 CFR Part 60, Subpart GG: Stationary Generating Turbines.
2. **LIMETREE BAY TERMINALS, LLC** shall comply with standards outlined in §60.332(a)(2) and §60.333, of 40 CFR Part 60, Subpart GG, as applicable for generating turbines GT-7, GT-8 and GT-9.
3. **LIMETREE BAY TERMINALS, LLC** is subject to NSPS GGG –Equipment Leaks of VOC in Petroleum Refineries

4. **LIMETREE BAY TERMINALS, LLC** shall comply with standards outlined in §60.592, of 40 CFR Part 60, Subpart GGG as applicable.
5. **LIMETREE BAY TERMINALS, LLC** may comply with exceptions outlined in §60.593, of 40 CFR Part 60, Subpart GGG, as applicable.
6. Equipment associated with the MVCS is subject to 40 CFR Part 60, Subpart GGGa Equipment Leaks of VOC in Petroleum Refineries.
7. **LIMETREE BAY TERMINALS, LLC** shall comply with standards outlined in §60.592a, of 40 CFR Part 60, Subpart GGGa as applicable.
8. **LIMETREE BAY TERMINALS, LLC** may comply with exceptions outlined in §60.593a, of 40 CFR Part 60, Subpart GGGa, as applicable.
9. **LIMETREE BAY TERMINALS, LLC** is subject to 40 CFR Part 63, Subpart CC: National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries.
10. **LIMETREE BAY TERMINALS, LLC** shall comply with standards outlined in §§63.642-63.671, of 40 CFR Part 63, Subpart CC as applicable.
11. Prior to building, erecting, altering or replacing any article, machine, equipment or other contrivance other than those subject to this Permit, the use of which may cause the issuance of air contaminants or may eliminate or reduce or control the issuance of air contaminants, **LIMETREE BAY TERMINALS, LLC** shall first obtain a written Authority to Construct from the Commissioner or his designated representative. [12 V.I. R& R § 206-20(a)(1995)].
12. Prior to operation at any other location, **LIMETREE BAY TERMINALS, LLC** must submit a separate application for an Authority to Construct and Permit to Operate the equipment(s) at each new location or construction project that will be conducted on noncontiguous property. [12 V.I. R&R§206-21(a)(1995)].
13. Construction and operation of the sources authorized by this Permit will not prevent the attainment or maintenance of any ambient air quality standard and will not result in a violation of any provision of this chapter or the Virgin Islands State Implementation Plan [12V.I. R&R§ 206-26(a)(2)(1995) and 12 V.I.R&R§206-27(a)(1)(B) (1995)].
14. **LIMETREE BAY TERMINALS, LLC** shall not cause or permit the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, annoyance to persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or which cause or have tendency to cause injury or damage to business or property. [12 V.I.R. & R § 204-27(a)].
15. Nothing in any other regulation concerning emission of air contaminants, or any other regulations relating to air pollution, shall in any manner be construed as authorizing or legalizing the creation or maintenance of a nuisance described in the above-mentioned condition.
16. **LIMETREE BAY TERMINALS, LLC** shall comply with sulfur compound emission control outlined in 12 V.I.R& R § 204-26(a)(1) and (b) for the emissions sources.

17. **LIMETREE BAY TERMINALS, LLC** shall not build, erect, install or use any article, machine, equipment or other contrivance, the sole purpose of which is to dilute or conceal an emission without resulting in a reduction in the total release of air contaminants to the atmosphere. [12 V.I.R& R § 204-30]
18. It shall be the duty of **LIMETREE BAY TERMINALS, LLC** to report any discontinued or dismantled fuel burning, combustion or process equipment or device coming under the jurisdiction of the permit provision of this chapter within thirty (30) days of permanent discontinuance or dismantlement of such equipment or device. [12 V.I.R& R § 204-31].
19. **LIMETREE BAY TERMINALS, LLC** must report to the Department any physical change or changes in construction which increase the amount of air pollutants or process production.
20. During construction, any source subject to this Permit, which is responsible for contravening ambient air quality standards, will be required to be modified to bring operation into compliance.

## **B. SPECIFIC EQUIPMENT CONDITIONS**

### **1. MVCS**

- (a) **LIMETREE BAY TERMINALS, LLC** shall use the MVCS for every loading of gasoline/gasoline blendstocks onto marine vessels after the date that the pumps are placed into commercial operation.
- (b) All marine vessels for gasoline/gasoline blendstocks loading shall be vapor-tight.
- (c) The MVCS shall be operated and maintained in accordance with the manufacturer's specifications
- (d) The MVCS shall be designed to achieve a 98 percent capture efficiency at the marine loading docks during gasoline/gasoline blendstocks loading into marine vessels.

### **2. Thermal Oxidizer H-1612**

- (a) The thermal oxidizer H-1612 shall be operated and maintained in accordance with the manufacturer's specifications.
- (b) The thermal oxidizer H-1612 shall fire only commercial grade propane as assistant fuel.
- (c) The thermal oxidizer H-1612 shall be equipped with ultra-low NOx and CO burners and shall achieve the following emissions limits, based on a vendor guarantee of emission performance:
  - i. NOx shall not exceed 0.02 pounds per million British Thermal Unit (lb/MMBtu).
  - ii. CO shall not exceed 0.02 lb/MMBtu.
- (d) The thermal oxidizer H-1612 shall achieve a 99.9 percent VOC DRE at the exhaust.



### 3. Docks

- (a) The marine loading at the Docks shall be limited to an annual average volume of petroleum products on a rolling monthly basis of:
  - i. 127.1 million barrels per year of crude oils (ambient and heated)
  - ii. 79.0 million barrels per year of gasoline/gasoline blendstocks (ambient)
  - iii. 168.7 million barrels per year of other commodities (ambient and heated)
  - iv. 1.6 million barrels per year of bitumen (heated)
- (b) **LIMETREE BAY TERMINALS, LLC** shall estimate or otherwise determine the true vapor pressure of commodities loaded into marine vessels.
- (c) H<sub>2</sub>S emissions from marine loading shall not exceed 106 pounds in any 24-hour period.
- (d) The SPM shall not be used for loading/unloading of gasoline.

### C. EMISSIONS LIMITS

1. The emissions from the thermal oxidizer shall not exceed the limitations in Table 3.

**Table 3. Thermal Oxidizer H-1612 Emission Limits**

Air Pollutant	Annual Emissions (tpy)
NO <sub>x</sub>	1.7
CO	2.2
VOC	3.6
SO <sub>2</sub>	< 1.0
PM <sub>10</sub>	< 1.0
PM <sub>2.5</sub>	< 1.0

### D. TESTING REQUIREMENTS

1. **LIMETREE BAY TERMINALS, LLC** shall comply with the MVCS capture efficiency stipulated in condition III.B.1(c). Demonstration of compliance with this capture efficiency will be conducted according to the manufacturer specifications through an initial test, no later than 180 days after initial startup.
2. **LIMETREE BAY TERMINALS, LLC** shall comply with the thermal oxidizer H-1612 emissions limits stipulated in condition III.B.2(c) and III.B.2(d). Compliance with these emission limits shall be demonstrated by conducting an initial stack test of the new thermal oxidizer in accordance with the requirements of §60.8 of 40 CFR 60 Subpart A. The initial

stack test shall be conducted no later than 180 days after initial startup.

3. At least 60 days prior to the actual stack testing, if required by this Permit, **LIMETREE BAY TERMINALS, LLC** shall submit to the Department a written protocol detailing the methods and procedures to be used during the performance testing as applicable. The Department, in their discretion, may waive all or a portion of that period.
4. **LIMETREE BAY TERMINALS, LLC** shall notify the Department at least 30 days prior to conducting a performance test, if required by this Permit. The Department, in their discretion, may waive all or a portion of that 30-day period.
5. **LIMETREE BAY TERMINALS, LLC** shall provide permanent or other sampling and testing facilities as may be required by the Department to determine the nature and quantity of emissions for each unit. Such facilities shall conform to all applicable laws and regulations concerning safe construction and practice.

#### **E. MONITORING REQUIREMENTS**

1. **LIMETREE BAY TERMINALS, LLC** shall monitor the performance of the MVCS following manufacturer recommendations or Department or the USEPA policies.
2. **LIMETREE BAY TERMINALS, LLC** shall monitor the fuel flow rate to the generating turbines and shall estimate or otherwise determine the fuel heating value.
3. All monitors, recorders and meter devices, if required by this Permit, shall be installed prior to operation of the equipment, unless otherwise stated. **LIMETREE BAY TERMINALS, LLC** shall maintain and calibrate, in a manner consistent with the manufacturer's specifications, all monitors, meters, hydrocarbon analyzers, and recorders as required above. All specifications must be made available to representatives of the Department upon request.
4. All monitors, recorders and meters required in this Permit shall be located in a manner which allows easy access and visibility. The Department may require relocation of the monitor or remote readout equipment.

#### **F. RECORDKEEPING AND REPORTING**

1. **LIMETREE BAY TERMINALS, LLC** shall comply with the reporting and recordkeeping requirements as applicable, to affected facilities authorized by this Permit, as outlined in 40 CFR Part 60, Subpart A.
2. **LIMETREE BAY TERMINALS, LLC** shall comply with the notification, reporting and recordkeeping requirements as applicable, as outlined in Section §60.7 in 40 CFR Part 60, Subpart A.
3. **LIMETREE BAY TERMINALS, LLC** shall comply with the reporting and recordkeeping requirements as applicable, as outlined in Section §63.655 in 40 CFR Part 63, Subpart CC.

4. **LIMETREE BAY TERMINALS, LLC** shall maintain records of the monthly marine loading rates, at the Docks, to demonstrate compliance with the loading limitation as required by condition III.B.3(a).
5. **LIMETREE BAY TERMINALS, LLC** shall maintain vapor-tightness pressure test documentation for each marine tank vessel used for gasoline loading.
6. **LIMETREE BAY TERMINALS, LLC** shall maintain records of the monthly heat input (HHV) in each of the generating turbines.
7. **LIMETREE BAY TERMINALS, LLC** shall maintain all records necessary for determining compliance with this Permit in a readily accessible location for five (5) years, or with respect to Section II.2 for ten (10) years and shall make these records available to the Department upon written or verbal request. All such records must be initialed or signed by the person recording the information or maintained in a verifiable electronic system whose information can be certified as to its accuracy.
8. **LIMETREE BAY TERMINALS, LLC** shall submit a written notification to the Department of the date of commencement of construction of the units authorized in this Permit, and to be postmarked no later than 30 days after such time.
9. **LIMETREE BAY TERMINALS, LLC** shall submit a written notification to the Department of the date of commencement of operation of the units authorized in this Permit, and to be postmarked no later than 15 days after such time.
10. **LIMETREE BAY TERMINALS, LLC** shall submit a written report of the results of each performance test, if required by this Permit, before the close of business on the 60th day following completion of the performance test.
11. **LIMETREE BAY TERMINALS, LLC** shall maintain records of the occurrence and duration of startup, shutdown, or malfunction in the operation of the emissions units authorized by this Permit. In addition, the type of malfunction, date of malfunction, parts replaced, the service performed, and downtime shall be recorded.
12. Manufacturer's specifications and operating procedures shall be kept on site and readily available to USEPA and Department representatives.

#### **SECTION IV: FACILITY WIDE REQUIREMENTS**

1. **LIMETREE BAY TERMINALS, LLC** shall also comply with any other emission limits, testing, monitoring, recordkeeping and reporting required pursuant to the Virgin Islands rules and regulations.
2. Where an applicable requirement of the Clean Air Act, as amended 42 USC 7401 (Act) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, the permit incorporates both provisions into the permit and the Commissioner or the

Administrator can enforce both provisions.

3. Compliance with any annual limitations of this Permit shall be determined from a running total of 12 months of data unless otherwise specified in a particular condition.
4. All records and data required to demonstrate compliance in this Permit shall be submitted to the Department upon request.
5. **LIMETREE BAY TERMINALS, LLC** must operate and maintain all operating equipment, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.
6. **LIMETREE BAY TERMINALS, LLC** shall ensure that any fugitive dust associated with the construction or installation of the equipment covered by this Permit is minimized and controlled.
7. **LIMETREE BAY TERMINALS, LLC** must construct and/or install the equipment, control apparatus and emission monitoring equipment within the design limitations.
8. **LIMETREE BAY TERMINALS, LLC** shall report any exceedance of this Permit in the Title V semi-annual report. If there is no exceedance, a statement as such will be included in the Title V semi-annual report.
9. **LIMETREE BAY TERMINALS, LLC** shall not discharge into the atmosphere, any air contaminant(s) with opacity greater than or equal to twenty percent (20%) for any time period, except for a period or periods aggregating not more than 3 minutes in any 30-minute period when opacity shall be less than or equal to 40%. [Virgin Islands Rules and Regulation 12-09-204-22(a) and (b)].
10. For the purpose of ascertaining compliance or non-compliance with any air pollution control rule or regulation, the Commissioner may require **LIMETREE BAY TERMINALS, LLC** who owns such air contamination source, to conduct acceptable tests to measure emissions.
11. **LIMETREE BAY TERMINALS, LLC** shall notify the Commissioner in writing not less than thirty (30) days prior to any proposed stack test of the emissions units' subject to this Permit, of the time and date of the proposed stack test as applicable. Such notification shall also include the acceptable procedures to be used to conduct said stack test including sampling and analytical procedures.
12. **LIMETREE BAY TERMINALS, LLC** shall allow the Commissioner, or his representatives, free access to observe stack testing.
13. All stack test reports (Compliance test results) required by this Permit (if any) shall be submitted to the USEPA and the Department within sixty (60) days after completing the applicable testing.
14. **LIMETREE BAY TERMINALS, LLC** must provide the following as applicable:

- (a) Sampling ports adequate for applicable test methods;
  - (b) Safe access to sampling ports; and
  - (c) Utilities for sampling and testing equipment.
15. **LIMETREE BAY TERMINALS, LLC** shall not cause or permit any materials to be handled, transported, or stored in a building, its appurtenances, or cause a road to be used, constructed, altered, repaired or demolished without taking the necessary precautions to prevent particulate matter from becoming airborne. [V. I. R&R 204-25(a)(1) through (9)].
16. The Commissioner may require other reasonable measures as may be necessary to prevent particulate matter from becoming airborne.
17. **LIMETREE BAY TERMINALS, LLC** shall not cause or permit the discharge of visible emissions of fugitive dust beyond the boundary line of the property on which their emissions originate.
18. **LIMETREE BAY TERMINALS, LLC** must maintain the following records of monitoring information if monitoring is required by this Permit.
- (d) The date, location and time of sampling or measurements
  - (e) The date(s) analyses performed
  - (f) The company or entity performing the analyses
  - (g) The analytical techniques or methods used
  - (h) The result of such analyses
  - (i) The facility's status at the time of sampling or measurements.

## SECTION V: GENERAL REQUIREMENTS

1. This Authority to Construct shall automatically become invalid one (1) year after the date of its issuance, unless the construction or modification has commenced or an application for extension, in the form of a letter to the Commissioner, is made thirty (30) days prior to the expiration date of the Permit.
2. The Permit to Operate shall be valid for a period of three (3) years after the date of its issuance, unless a timely application for renewal has been made. When the Permit to Operate is incorporated into **LIMETREE BAY TERMINALS, LLC**'s Title V Permit in accordance with 12 V.I. R&R §206-21(b), the provisions shall expire as provided in the Title V Permit.
3. Any revisions to activities described in the permit application and authorized in this Permit must be approved by the Commissioner prior to commencement of operations.
4. In the case that this Permit is subject to any challenge by third parties, the effectiveness of

the Permit stands until any judicial court decides the contrary.

5. Failure of the Commissioner to act on a permit application shall not be deemed issuance by default.
6. **LIMETREE BAY TERMINALS, LLC** must comply with all conditions of this Permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
7. All terms and conditions contained herein shall be enforceable by the USEPA and citizens of the United States under the Clean Air Act, as amended, 42 U.S.C. 7401, et seq..
8. Nothing in this Permit shall alter or affect the authority of the USEPA to obtain information pursuant to 42 U.S.C. 7414, "Inspections, Monitoring, and Entry".
9. **LIMETREE BAY TERMINALS, LLC** 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.
10. The Department may modify, revoke, reopen and reissue the Permit or terminate the Permit for cause [12 V.I.R. & R § 206-28]. The filing of a request by the source for a permit modification, revocation and reissuance, or termination or the filing of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
11. This Permit does not convey any property rights of any sort, or any exclusive privilege.
12. Issuance of this Permit does not relieve the **LIMETREE BAY TERMINALS, LLC** from the responsibility of obtaining and complying with any other permits, licenses, or approvals required by the Department or any other federal, territorial, or local agency.
13. Nothing in this Permit shall alter or affect the liability of **LIMETREE BAY TERMINALS, LLC** for any violation of applicable requirements prior to or at the time of Permit issuance.
14. Any condition or portion of this Permit, which is challenged, becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this Permit.
15. Compliance with the terms of this Permit shall be deemed compliance with all applicable requirements as of the date of Permit issuance, provided that all applicable requirements are included and specifically identified in the Permit or permit application.
16. In accordance with 12 V.I. R.&R. §206-65, the Department shall allow certain defined changes at permitted facilities that contravene permit terms or conditions or make them inapplicable without requiring a permit revision. Such changes may not include changes that violate applicable requirements or contravene permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

17. If after notification as described in Condition 16 above, the Department deems that the change implemented by the source does not qualify under 206-65(b), the original terms of the permit remain fully enforceable.
18. Provisions for operational flexibility do not preclude a source's obligation to comply with all applicable requirements.
19. Any application forms, all reports, or compliance certifications submitted pursuant to this Permit shall contain a certification of truth, accuracy and completeness signed by a responsible official of the facility. Any certification submitted by the facility shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
20. Information contained in permit applications shall be public, except that which is claimed confidential in accordance with the Virgin Islands Air Pollution Control Act. The contents of the permit itself are not entitled to confidentiality.
21. **LIMETREE BAY TERMINALS, LLC** must allow an authorized representative of the Department, upon presentation of credentials, to perform the following:
  - (a) Enter upon **LIMETREE BAY TERMINALS, LLC** premises where the permitted source 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 required under the conditions of this permit;
  - (c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - (d) As authorized by the Act, sample or monitor at reasonable times substances or parameters for assuring compliance with this permit or applicable requirements.
22. **LIMETREE BAY TERMINALS, LLC** shall furnish to the Department, in writing, information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit.
23. Upon request, the **LIMETREE BAY TERMINALS, LLC** shall furnish to the Department copies of records that this facility is required to keep by this Permit, which information may be claimed to be confidential in accordance with the Virgin Islands Air Pollution Control Act. **LIMETREE BAY TERMINALS, LLC** may furnish such records directly to the Department, if necessary, along with a claim of confidentiality.
24. A copy of this Permit shall be kept on-site at **LIMETREE BAY TERMINALS, LLC**.