



Maryland
Department of
the Environment

Larry Hogan, Governor
Boyd Rutherford, Lt. Governor

Ben Grumbles, Secretary
Horacio Tablada, Deputy Secretary

Mr. Gary Scoppio
William J. Lauer Corp.
P. O. Box 030178
Staten Island, NY 10303

NOV 6 2017

Dear Mr. Scoppio:

Enclosed is the validated Oil Operations Permit No. 2018-OPV-13824 for your facility. Please review the conditions of this permit and become thoroughly familiar with its requirements. The Special Conditions in this permit list requirements to be completed within specific time limits and require the permittee to notify the Oil Control Program in writing when these conditions are completed. This permit is considered to be an enforceable document on its effective date.

If you have any questions, please contact Mr. Brad Barzin of the Permits Section at 410-537-3483 or by email at brad.barzin@maryland.gov.

Sincerely,

A handwritten signature in cursive script that reads "Hilary Miller".

Hilary Miller, Director
Land and Materials Administration

HM/bb

Enclosure

cc: Mr. Christopher Ralston

**OIL OPERATIONS PERMIT
(for Oil Transportation Only)**

Oil Operations Permit Number	2018-OPV-13824
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Effective Date	NOV 5 2017
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Expiration Date	NOV 5 2022
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Pursuant to the provisions of Title 4 of the Environment Article, Annotated Code of Maryland and regulations promulgated thereunder, the Department of the Environment, hereinafter referred to as the "Department," hereby authorizes:

William J. Lauer Corp. 3249 Richmond Terrace Staten Island, New York 10303
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to transport and deliver oil in Maryland in accordance with the special and general conditions imposed by this permit.

This Oil Operations Permit is issued in addition to, and not in substitution of, the requirements of other permits or authorizations granted for this facility.

<p>REPORT ANY OIL SPILL OR DISCHARGE OF OIL IMMEDIATELY TO THE DEPARTMENT OF THE ENVIRONMENT</p> <p>1-866-633-4686 (24 Hours)</p> <p>AND THE APPROPRIATE FEDERAL AUTHORITY</p>

I. SPECIAL CONDITIONS

A. The permittee shall implement the following:

1. Deliver oil by truck tank or by transport consistent with Code of Maryland Regulations 26.10.01.16 and 26.10.01.17.
2. For oil delivery by truck tank or transport and in all instances where the tank is accessible, drivers shall measure the tank ullage (available capacity) prior to filling.
3. Provide the truck tank or transport delivery vehicle(s) with spill clean-up material to promptly contain, collect and remove oil spillage.
4. Provide fire extinguishers on transport or truck tank vehicles in accordance with NFPA 385, 2000 edition.
5. The Maryland Department of the Environment's emergency spill reporting telephone number, 1-866-633-4686, must be conspicuously posted in all truck tanks and transports receiving or delivering oil in Maryland.
6. Meet minimum vehicle insurance coverage for the transport of all types of oil, including gasoline.
7. Perform preventative maintenance annually or every 25,000 miles for truck tanks, transports, and vacuum tanks in accordance with 49 CFR 396 and COMAR 11.14.
8. Inspect and test truck tanks, transports, or vacuum tanks used for transporting flammable petroleum liquids in accordance with 49 CFR 180.407.
9. Obtain U.S. DOT numbers for interstate truck tanks, transports, and vacuum tanks or Maryland State Highway Administration identification numbers for intrastate truck tanks, transports, and vacuum tanks.
10. Register all placarded truck tanks, transports, and vacuum tanks in accordance with 49 CFR 107.
11. Conduct driver safety training requirements as specified in 49 CFR 172.700 and COMAR 26.10.01.16D.
12. (For Maryland domiciled vehicles only) Locations where vehicles are permitted to be domiciled in Maryland shall meet zoning requirements for the parking of commercial truck tanks, transports, and vacuum tanks.

I. SPECIAL CONDITIONS (continued)

B. Schedule of Compliance

The permittee shall achieve compliance with Special Conditions A.1 through A.12 prior to transporting oil in the State of Maryland.

II. GENERAL CONDITIONS

A. Compliance with Regulations

The permittee's operations shall comply with all of the applicable requirements in COMAR 26.10.01.01.-.12, 26.10.01.16 -.21, and 26.10.15 for the handling and cleanup of oil. The permittee is not authorized by this permit to discharge oil or cause oil to be discharged into waters of the State.

B. Plan for Notification, Containment and Clean-Up of Oil Spills

A Maryland Department of the Environment "Plan for Notification, Containment and Clean-Up of Oil Spills", herein referred to as the "Plan", shall be completed by the permittee. The permittee shall comply with its "Plan", incorporated herein as a reference. The "Plan" shall be reviewed annually and updated by the permittee, as necessary. The Department shall be notified in writing by the permittee of any change in the "Plan".

C. Immediate Telephone Report Required of Oil Discharge or Spill

The permittee shall notify the Department immediately, but not later than two hours after detecting a spill and also notify the appropriate Federal authority of any such discharge or spill of oil or other petroleum products. The Department shall be notified for any oil spill, regardless of the size, source, or the cause of the discharge or spill, including spills or discharges in secondary containment areas.

Such report shall be made by telephone to the telephone number listed on Page One of this permit, and shall include as a minimum the following information:

1. time of discharge;
2. location of discharge;
3. type and quantity of oil;
4. assistance required;
5. name, address, and telephone number of person making the report; and,
6. all other pertinent and necessary information requested by the Department.

II. GENERAL CONDITIONS

D. Responsibility for Cleanup

The permittee has the primary responsibility for the immediate commencement of the control, containment, and removal of any oil discharged or spilled, and the restoration of the natural resources of the State. Failure to act promptly and responsibly may result in the control, containment, and removal of the oil and restoration by the Department or its agent with the costs assessed to the permittee.

E. Written Report Required on Removal and Cleanup of Spilled Oil

In the event a discharge or spill of oil has occurred, the permittee shall immediately commence control, containment, removal, and restoration operations.

The permittee shall submit to the Department a written report within 10 days after completion of the control, containment, removal, and restoration operations. The written report shall include the following:

1. date, time, and place of spill;
2. amount and type of oil spilled;
3. complete description of circumstances contributing to the spill;
4. complete description of containment, removal, clean-up, and restoration operations including disposal sites and costs of operations;
5. procedures, methods, and precautions instituted to prevent a recurrence of an oil spill from the facility involved; and,
6. other information considered necessary or required by the Department for a complete description of the spill incident.

F. Facility Operation and Maintenance

1. Maintenance

All transportation and transfer equipment used by the permittee shall at all times be maintained in good working order and operated efficiently.

2. Change in Operation

The operation of this oil operations facility shall be consistent with the terms and conditions of this permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased oil operations shall be reported by the permittee by submission of a new application or by notice to the

Department. Following such notice, the permit may be modified by the Department by the addition or revision of permit conditions.

II. GENERAL CONDITIONS

G. Removed Oil, Used Oils, Waste Oils, or Oily Substances

Oils, used oil, waste oil, oily solids or sludges, or other oil contaminated substances generated by, or removed from the operations of this permitted facility shall be disposed of in a manner to prevent any such removed substances or runoff from such substances from entering or from being placed in a location where they are likely to pollute waters of the State.

H. Monitoring by Permittee Required

The permittee shall supervise and check, on a regular schedule, all aspects of the oil operations involved, and shall identify and correct any deficiency in operational procedure and any actual or potential defect or weakness in the operating system so as to prevent occurrences of oil spills.

I. Records Retention Required

All records and information resulting from the monitoring activities required by this permit shall be retained for a minimum of three (3) years. This retention time may be extended during the course of litigation or when so requested by the Department.

J. Right of Entry

The permittee shall permit authorized representatives of the Department, upon presentation of appropriate credentials, entry into the permittee's facilities to conduct inspections necessary to monitor compliance with the terms and conditions of this permit. The permittee shall provide such assistance as may be necessary to effectively and safely conduct such inspections.

K. Permit Modification, Suspension, or Revocation

1. Request by Permittee

- a. Any substantial change either in the size or scope of the operation or in the information and data previously supplied to the Department in the "Oil Operations Permit Application" shall require a permit modification.
- b. A permit may be modified by the Department upon written request of the permittee.

II. GENERAL CONDITIONS

2. Action by the Department

- a. This permit may be suspended or revoked upon a final, unreviewable determination that the permittee lacks, or is in violation of, any federal, state or local approval necessary to conduct the activity authorized by this permit.
- b. A permit may be modified, suspended, or revoked by the Department in the event of a violation of the terms or conditions of the permit, State Laws, or Regulation.
- c. In issuing this permit, the Department has relied upon certain information or data provided by the permittee in the permit application. If such information should be false or inaccurate, this permit may be modified, suspended, or revoked.
- d. Failure to report substantial changes as described in K.1.a. above may constitute a basis for suspension or revocation of the permit.

L. Transfer of Ownership or Control of Facilities

In the event of any change in control or ownership of the facilities for which this permit has been issued:

1. The permittee shall notify, in writing, the succeeding owner or his assigned representative of the existence of this permit and of any outstanding violations of the permit. A copy of this notification shall be forwarded to the Department at least 30 days prior to said change in control or ownership.
2. The succeeding owner or his assigned representative shall notify the Department in writing, that the succeeding owner accepts the terms and conditions of the permit. Notification shall be made to the Department within 30 days after said change in ownership occurs.

M. Civil and Criminal Liability

Nothing in this permit shall be construed to preclude initiation of any legal action by the Department nor relieve the permittee from civil or criminal penalties for noncompliance with Title 4 of the Environment Article, Annotated Code of Maryland, or any local, federal, or other State laws or regulations.

N. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of State or local laws or regulations.

II. GENERAL CONDITIONS

O. Miscellaneous Provisions

1. All permits and files of the Department relating to such permits shall be available for public inspection.
2. The State of Maryland is not precluded by the issuance of this permit from imposing other changes relating to the operations of the facility.

P. Severability

If any provisions of this permit shall be held invalid for any reason, the remaining provisions shall remain in full force and effect, and such invalid provisions shall be considered severed and deleted from this permit.

Q. Permit Expiration

This permit shall expire at midnight on the expiration date of the permit. In order to receive authorization to continue operation of these oil operations facilities beyond the above date of expiration, the permittee shall submit such information, and/or forms as are required by the Department no later than 60 days prior to the above date of expiration.



Hilary Miller, Director
Land and Materials Administration



CROSS REFERENCE GUIDE FOR COMAR 26.10.01.16

A. COMAR 11.16.01 (incorporates federal transportation regulations as described)

1. 49 CFR 107.501-107.504 (Subpart F – Registration of Cargo Tank Motor Vehicle Manufacturers and Repairers and Cargo Tank Motor Vehicle Assemblers)
2. 49 CFR 107.601-107.620 (Subpart G – Registration of Persons Who Offer or Transport Hazardous Materials)
3. 49 CFR 171 (Subpart C – Hazardous Materials Regulations)
4. 49 CFR 172 Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, and Training Requirements
5. 49 CFR 173 Shippers – General Requirements for Shipments and Packaging
6. 49 CFR 174 Carriage by Rail
7. 49 CFR 175 Carriage by Aircraft
8. 49 CFR 176 Carriage by Vessels
9. 49 CFR 177 Carriage by Public Highway
10. 49 CFR 178 Specifications for Packaging
11. 49 CFR 179 Specifications for Tank Cars
12. 49 CFR 180 Continuing Qualification and Maintenance of Packaging

B. COMAR 11.21.01 (incorporates federal motor carrier safety regulations as described)

1. 49 CFR 40 Transportation Workplace Drug Testing Programs
2. 49 CFR 382 Controlled Substances and Alcohol Use and Testing
3. 49 CFR 390 Federal Motor Carrier Safety Regulations, General
4. 49 CFR 391 Qualifications of Drivers
5. 49 CFR 392 Driving of Commercial Motor Vehicles
6. 49 CFR 393 Parts and Accessories Necessary for Safe Operation
7. 49 CFR 395 Hours of Service of Drivers
8. 49 CFR 396 Inspection, Repair and Maintenance
9. 49 CFR 397 Transportation of Hazardous Materials; Driving and Parking Rules
10. 49 CFR 398 Transportation of Migrant Workers
11. 49 CFR 399 Employee Safety and Health Standards

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
CODE OF MARYLAND REGULATIONS**

26.10.01

OIL POLLUTION AND TANK MANAGEMENT

.16 Requirements for Oil Delivery by Truck Tank or by Transport.

- A. Transfer hose and fittings shall be of a grade suitable for the type of oil product transferred and for the type of delivery.
- B. Transfer hoses shall be designed to withstand pressure of the shut-off head of the cargo pump or pump relief valve setting.
- C. Any vehicle used in the transport or transfer of oil shall be in compliance with COMAR 11.16.01 and 11.21.01 and NFPA Standard 385, "Standard for Tank Vehicles for Flammable and Combustible Liquids 2000 Edition", which is incorporated by reference.
- D. The company holding a valid Oil Operations Permit for delivery by truck tank or by transport shall:
 - (1) Perform a driver's safety training program that instructs its drivers on spill reporting and containment;
 - (2) Give the training to each driver on an annual basis; and
 - (3) Maintain records demonstrating compliance with this subtitle.

.17 Requirements of Drivers of Truck Tanks and Transports.

- A. A driver operating a truck tank or transport shall comply with the following requirements:
 - (1) A driver shall operate a truck tank or transport in accordance with NFPA Standard 385, "Tank Vehicles for Flammable and Combustible Liquids" 2000, which is incorporated by reference;
 - (2) A driver shall be 21 years old or older as required by Transportation Article, §25-111, Annotated Code of Maryland.
- B. A driver shall remain within **10** feet and in full and immediate control of the nozzle, shut-off valves, pumps, and emergency operating mechanism for the discharge control valve at all times when loading or unloading oil, and shall stand in a position so as to have the loading or delivery receptacle in full view. If the driver leaves the equipment unattended for any reason, all nozzles, shut-off valves, pumps, and discharge control valves of the dispensing vehicles, as well as those of the receiving facility, shall be turned off or returned to the closed position.
- C. A driver shall remain alert while the transfer is in progress and shall report immediately to his or her employer or supervisor any unusual condition involving the transfer operation, such as spills, any obvious discrepancies between the quantities delivered and received, or the existence of any equipment defects or unsafe delivery conditions.
- D. A driver shall use proper hoses and fittings in the delivery of the oil.
- E. Before beginning any transfer, the driver shall:
 - (1) Ensure that all hose connections are tight; and
 - (2) Ensure that the tank will hold the amount of product being delivered by:
 - a.) Gauging the tank;
 - b.) Using a functional vent whistle;
 - c.) Inquiring of the capacity and contents from the tank owner and operator;
 - d.) Using an approved overfill alarm; or
 - e.) Using a method approved by the Department.