UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE

CERTIFIED MAIL – RETURN RECEIPT REQUESTED
APR 07 2015

Eric Slifka, President and CEO
Global Partners, LP
800 South Street
P.O. Box 9161
Waltham, MA 02454-9161

Re: Notice of Violation

Dear Mr. Slifka:

The U.S. Environmental Protection Agency, Region 1 ("EPA") is issuing Global Partners, LP ("Global") the enclosed Notice of Violation ("NOV") for violations of the Clean Air Act. This NOV supplements a prior Notice of Violation dated June 6, 2014.

The NOV addresses EPA's findings that Global has violated and is still in violation of requirements in the Maine State Implementation Plan regarding Reasonably Available Control Technology for the control of volatile organic compound emissions. The violations occurred at Global's facility located in South Portland, Maine.

You may confer with EPA about the enclosed NOV and its findings. To schedule a conference, please contact Elizabeth Kudarauskas of my staff at (617) 918-1564 or have your legal counsel contact William Chin of my staff at (617) 918-1728 within fourteen (14) days of your receipt of this letter and the enclosed NOV.

Sincerely,

Susan Studlien

Susan Studlien, Director
Office of Environmental Stewardship

Enclosure

cc: Kurt Tidd, MEDEP (via email)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1 – NEW ENGLAND

IN THE MATTER OF Global Partners, LP 800 South Street, Suite 200 PO Box 9161 Wareham, MA 02454-9161 Proceeding under Section 113 of the Clean Air Act	)	**NOTICE OF VIOLATION**

STATUTORY AUTHORITY

1. The United States Environmental Protection Agency, Region 1 ("EPA") issues this Notice of Violation ("NOV") to Global Partners, LP ("Global") under the authority of Section 113(a)(1) of the Clean Air Act ("CAA" or "the Act"), 42 U.S.C. § 7413(a)(1), for violations of the Act at Global's facility in South Portland, Maine (the "South Portland Facility"). The NOV describes EPA's findings that Global has violated and continues to violate the Act and the federally-enforceable Maine state implementation plan ("SIP").

2. The Maine SIP includes various federally-approved portions of Air Pollution Control regulations, Chapters 100 et al. ("ME APC Regulations"), which were promulgated by the Maine Department of Environmental Protection ("ME DEP").[1] These requirements are enforceable by EPA under Section 113 of the Act.

3. Section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1), requires that whenever EPA finds that any person has violated or is in violation of any requirement or prohibition of an applicable

[1] The federally-enforceable versions of the ME APC Regulations contained in the SIP, which can be found on EPA's website at http://www.epa.gov/region1/topics/air/sips/sips_me.html, are cited herein. The comparable Maine rules can be viewed at http://www.maine.gov/dep/air/rules/index.html.

SIP, EPA shall notify the person of such finding.

4. On June 6, 2014, EPA issued Global a Notice of Violation concluding that Global had violated the SIP at its facility in South Portland, Maine. This NOV supplements the prior June 6, 2014 Notice of Violation.

FACTUAL BACKGROUND

5. Global owns and operates a petroleum bulk terminal facility located at 1 Clark Road in South Portland, Maine. Among other activities at the South Portland Facility, Global stores and distributes #6 fuel oil and asphalt, activities that emit volatile organic compounds ("VOCs").

6. On November 2, 2011 and March 29, 2012, EPA issued Clean Air Act Reporting Requirements and Testing Orders to Global.

7. Global submitted responses to the Reporting Requirements.

8. In response to the Testing Order and Reporting Requirement issued by EPA on November 2, 2011, Global submitted a Test Protocol on January 31, 2012, which was conditionally approved by EPA on June 27, 2012.

9. Global completed VOC and HAP emissions testing for asphalt at its South Portland Facility on August 16, 2012, and submitted a test report on November 14, 2012. Global completed VOC and HAP emissions testing for #6 oil at its South Portland Facility on July 2, 2013, and submitted a final test report on August 9, 2013.

LEGAL FINDINGS AND NOTICE OF VIOLATION

10. Under the SIP at Chapter 134, the owner or operator of any facility that emits or has the potential to emit forty (40) tons or more per calendar year of VOC must comply with reasonably available control technology ("RACT") requirements.

11. The South Portland Facility has an Air Emissions License issued by the ME DEP on January 23, 2013. The Air Emissions License restricts facility-wide VOC emissions to 21.9 tons per year. However, the Air Emissions License does not address emissions from #6 oil and asphalt.

12. The VOC emissions testing for #6 oil and asphalt conducted at the South Portland Facility yield emissions factors that indicate that potential annual emissions from #6 oil and asphalt exceed 40 tons per year.

13. Based on its potential VOC emissions of greater than 40 tons per year from #6 oil and asphalt, Global's South Portland Facility is subject to VOC RACT requirements, including emission standards and emission reduction plan requirements.

14. As a facility with volatile organic liquid storage tanks, the applicable effective date of Chapter 134 for Global's South Portland facility was February 15, 1995.

15. Global has failed to comply with VOC RACT requirements at its South Portland facility.

16. Accordingly, Global has violated and continues to violate Chapter 134 of the SIP, by owning and operating a facility with potential VOC emissions greater than 40 tons per year without complying with RACT.

ENFORCEMENT

17. EPA may take any or all of the following actions: (a) issue an order requiring compliance

with the Act; (b) issue an administrative penalty order; or (c) bring a civil action in federal district court for an injunction and/or monetary penalties up to $37,500 per day for each violation. See Sections 113(a), (b) and (d) of the Act, 42 U.S.C. §§ 7413(a), (b) and (d), and 40 C.F.R. Part 19 as amended by 73 Fed. Reg. 75340-46 (Dec. 11, 2008) (Clean Air Act judicial and administrative penalties raised from up to $25,000 to $37,500 per day effective January 12, 2009). Be advised that Section 113(e)(2) of the Act, 42 U.S.C. § 7413(e)(2), contains provisions that affect the burden of proof with respect to violations which continue or recur on or after the date of issuance of a notice of violation.

18. If Global has knowingly violated the requirements of the Act, Global and its responsible corporate officers may be subject to criminal penalties under Title 18 of the United States Code, imprisonment for not more than five years, or both. See Section 113(c) of the Act, 42 U.S.C. § 7413(c).

19. Be advised that issuance of this NOV does not preclude EPA from electing to pursue any other remedies or sanctions authorized by law which are available to address these violations.

OPPORTUNITY TO CONFER

20. Global may confer with EPA concerning this NOV and the findings on which it is based. To schedule a conference, or to ask any questions, please contact Senior Enforcement Counsel William Chin at (617) 918-1728, or Environmental Engineer Elizabeth Kudarauskas at (617) 918-1564.

EFFECTIVE DATE AND APPLICABILTY

21. This NOV is effective as of the date signed below. The provisions of this NOV apply to

Global, its officers, agents, servants, employees, successors, and assigns, and to all persons, firms, and corporations acting under, through, or for Global. The NOV is not subject to Office of Management and Budget review under the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

Susan Studlien

Susan Studlien, Director
Office of Environmental Stewardship
U.S. EPA, Region 1

04/02/15
Date