



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 1-4720-00777/00008  
Mod 0 Effective Date: 03/23/2004 Expiration Date: 03/22/2009  
Mod 2 Effective Date: 08/26/2008 Expiration Date: 03/22/2009

Permit Issued To: COVANTA BABYLON INC  
40 LANE ROAD  
CALDWELL, NJ 07007-2615

Contact: KENNETH E ARMELLINO  
COVANTA ENERGY  
40 LANE RD  
CALDWELL, NJ 07007  
(973) 882-4129

Facility: BABYLON RESOURCE RECOVERY FACILITY  
125 GLEAM ST  
WEST BABYLON, NY 11704

Contact: JOSEPH F VOLPE  
COVANTA BABYLON INC  
125 GLEAM ST  
WEST BABYLON, NY 11704  
(631) 491-1976

**Description:**

This modification of the existing Title V permit is for the purpose of establishing certified Emission Reduction Credits(ERC) for past emission reductions which are the result of over-controlling for nitrogen oxide(NOx) emissions from two existing municipal waste combustor units. The NOx emissions will be limited to 245 tons per year, with a daily 24 hour block average of 150 ppm corrected to 7% oxygen dry volume. The amount of ERC to be created via the overcontrolling for NOx emission will be 141 tons. The modification includes the adoption of PAH/PCB testing to follow the testing for dioxin/furan testing ( i.e. testing of one unit per year on a rotating basis per 40CFR60.38b) and the processing of the ash leachate from the adjacent Babylon monofill to be injected into the spray dry adsorber.



By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:            ROGER EVANS  
   NYSDEC - SUNY @ STONY BROOK  
   50 CIRCLE RD  
   STONY BROOK, NY 11790-3409

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_\_



### Notification of Other State Permittee Obligations

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.



## LIST OF CONDITIONS

### DEC GENERAL CONDITIONS

#### General Provisions

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
  - Applications for permit renewals, modifications and transfers
  - Applications for Permit Renewals and Modifications
  - Permit modifications, suspensions or revocations by the Department
  - Permit Modifications, Suspensions and Revocations by the Department

#### Facility Level

- Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

**Item 1.2:**

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

**Item 1.3:**

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301.2(m)**

**Item 2.1:**

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

**Condition 2-1: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6NYCRR 621.11**

**Item 2-1.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 2-1.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 2-1.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.



**Condition 3: Applications for Permit Renewals and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 3.1:**

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

**Item 3.2:**

The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

**Condition 2-2: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 2-2.1:**

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**Condition 4: Permit Modifications, Suspensions and Revocations by the Department**  
**Applicable State Requirement: 6NYCRR 621.14**

**Item 4.1:**

The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the



permitted activity.

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS**

**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
SUNY Campus, Loop Road, Building 40  
Stony Brook, NY 11790-2356  
(631) 444-0365

**Condition 2-3: Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS**

**Applicable State Requirement: 6NYCRR 621.6(a)**

**Item 2-3.1:**

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator  
Region 1 Headquarters  
Division of Environmental Permits  
Stony Brook University  
50 Circle Road  
Stony Brook, NY 11790-3409  
(631) 444-0365



**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: COVANTA BABYLON INC  
40 LANE ROAD  
CALDWELL, NJ 07007-2615

Facility: BABYLON RESOURCE RECOVERY FACILITY  
125 GLEAM ST  
WEST BABYLON, NY 11704

Authorized Activity By Standard Industrial Classification Code:  
4953 - REFUSE SYSTEMS

Mod 0 Permit Effective Date: 03/23/2004

Permit Expiration Date: 03/22/2009

Mod 2 Permit Effective Date: 08/26/2008

Permit Expiration Date: 03/22/2009



## LIST OF CONDITIONS

### DEC GENERAL CONDITIONS

#### General Provisions

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  - Permit Modifications, Suspensions and Revocations by the Department

#### Facility Level

- Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 2-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2-2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 9 6NYCRR 202-2.1: Compliance Certification
- 10 6NYCRR 202-2.5: Recordkeeping requirements
- 2-3 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 2-4 6NYCRR 200.7: Maintenance of Equipment
- 2-5 6NYCRR 201-1.7: Recycling and Salvage
- 2-6 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 2-7 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 2-8 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 2-9 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 2-10 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 2-11 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 2-12 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 2-13 6NYCRR 202-1.1: Required Emissions Tests
- 2-14 6NYCRR 211.3: Visible Emissions Limited
- 13 40CFR 68: Accidental release provisions.
- 2-15 40CFR 68: Accidental release provisions.
- 14 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 1 6NYCRR 200.3: False statement
- 2-16 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6: Emission Unit Definition
- 2-17 6NYCRR 201-7.2: Facility Permissible Emissions
- \*2-18 6NYCRR 201-7.2: Capping Monitoring Condition
- 2-19 6NYCRR 202-1.1: Required Emissions Tests - Facility Level
- 7 6NYCRR 202-1.3: Acceptable procedures



- 8 6NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
- 2-20 6NYCRR 219-5.4: Compliance Certification
- 2-21 6NYCRR 231-2.6: Compliance Certification
- 2-22 40CFR 52.21(j)(2), Subpart A: Compliance Certification
- 2-23 40CFR 52.21(j)(2), Subpart A: Compliance Certification
- 2-24 40CFR 52.21(j)(2), Subpart A: Compliance Certification
- 2-25 40CFR 52.21(j)(2), Subpart A: Compliance Certification
- 2-26 40CFR 52.21(j)(2), Subpart A: Compliance Certification
- 2-28 40CFR 60.33b(d), NSPS Subpart Cb: Compliance Certification
- 2-27 40CFR 60.36b, NSPS Subpart Cb: Compliance Certification
- 2-29 40CFR 60.39b(a), NSPS Subpart Cb: Compliance Certification

**Emission Unit Level**

- 15 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 16 6NYCRR 201-6: Process Definition By Emission Unit
- 2-30 40CFR 60.33b(a)(1)(i), NSPS Subpart Cb: Compliance Certification
- 2-31 40CFR 60.33b(a)(1)(iii), NSPS Subpart Cb: Compliance Certification
- 2-32 40CFR 60.33b(a)(2)(i), NSPS Subpart Cb: Compliance Certification
- 2-33 40CFR 60.33b(a)(3), NSPS Subpart Cb: Compliance Certification
- 2-34 40CFR 60.33b(a)(3), NSPS Subpart Cb: Compliance Certification
- 2-35 40CFR 60.33b(a)(4), NSPS Subpart Cb: Compliance Certification
- 2-36 40CFR 60.33b(b)(3)(i), NSPS Subpart Cb: Compliance Certification
- 2-37 40CFR 60.33b(b)(3)(i), NSPS Subpart Cb: Compliance Certification
- 2-38 40CFR 60.33b(b)(3)(ii), NSPS Subpart Cb: Compliance Certification
- 2-39 40CFR 60.33b(b)(3)(ii), NSPS Subpart Cb: Compliance Certification
- 2-40 40CFR 60.33b(c)(1)(iii), NSPS Subpart Cb: Compliance Certification
- 2-41 40CFR 60.34b(a), NSPS Subpart Cb: Compliance Certification
- 2-42 40CFR 60.34b(b), NSPS Subpart Cb: Compliance Certification
- 2-43 40CFR 60.34b(b), NSPS Subpart Cb: Compliance Certification

**EU=1-MBMWC,EP=00003,Proc=1MW,ES=00MWC**

- 2-44 40CFR 60.35b, NSPS Subpart Cb: Operating Manual
- 2-45 40CFR 60.35b, NSPS Subpart Cb: Operator Training
- 2-46 40CFR 60.35b, NSPS Subpart Cb: Compliance Certification

**EU=1-MBMWC,EP=00003,Proc=1MW,ES=00MWC**

- 2-47 40CFR 60.38b, NSPS Subpart Cb: Compliance and performance testing.

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 43 ECL 19-0301: Contaminant List
- 44 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 45 6NYCRR 211.2: Air pollution prohibited
- 2-48 6NYCRR 617.11(d): Compliance Demonstration
- 2-49 6NYCRR 617.11(d): Compliance Demonstration

**Emission Unit Level**

- 2-50 6NYCRR 219-7.2: Compliance Demonstration
- 2-51 6NYCRR 219-7.2: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

**Item A: Emergency Defense - 6NYCRR Part 201-1.5**

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

**Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)**

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.



- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**  
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**  
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)**  
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)**  
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)**  
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)**  
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)**



If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

**Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)**

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

**Item K: Reopening for Cause - 6 NYCRR Part 201-6.5(i)**

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the



effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

**Item L: Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.



**Item M: Federally Enforceable Requirements - 40 CFR 70.6(b)**

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.**

**Condition 2-1: Acceptable Ambient Air Quality  
Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 200.6**

**Item 2-1.1:**

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2-2: Fees  
Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(7)**

**Item 2-2.1:**

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

**Condition 3: Recordkeeping and reporting of compliance monitoring  
Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6.5(c)**

**Item 3.1:**

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;



(ii) The date(s) analyses were performed;

(iii) The company or entity that performed the analyses;

(iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;

(v) The results of such analyses including quality assurance data where required; and

(vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.3 of this Part 201.

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**

**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(2)**

**Item 4.1:**

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**

**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)(ii)**

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.



Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.



The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6.5(e)**

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
  - the identification of each term or condition of the permit that is the basis of the certification;
  - the compliance status;
  - whether compliance was continuous or intermittent;
  - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
  - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
  - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2



Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866

The address for the RAPCE is as follows:

NYSDEC  
SUNY Campus  
Building 40  
Stony Brook, NY 11790-2356

The address for the BQA is as follows:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2005.  
Subsequent reports are due on the same day each year

**Condition 9: Compliance Certification**  
**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 202-2.1**

**Item 9.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 9.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
Monitoring Description:

Emission statements shall be submitted on or before April  
15th each year for emissions of the previous calendar  
year.

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year

**Condition 10: Recordkeeping requirements**  
**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 202-2.5**

**Item 10.1:**

(a) The following records shall be maintained for at least five years:



- (1) a copy of each emission statement submitted to the department; and
  - (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.
- (b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

**Condition 2-3: Open Fires Prohibited at Industrial and Commercial Sites  
Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 215**

**Item 2-3.1:**

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS  
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 2-4: Maintenance of Equipment  
Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 200.7**

**Item 2-4.1:**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

**Condition 2-5: Recycling and Salvage  
Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-1.7**

**Item 2-5.1:**

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 2-6: Prohibition of Reintroduction of Collected Contaminants to  
the air  
Effective between the dates of 08/26/2008 and 03/22/2009**



**Applicable Federal Requirement:6NYCRR 201-1.8**

**Item 2-6.1:**

No person shall unnecessarily remove, handle or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

**Condition 2-7: Exempt Sources - Proof of Eligibility**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-3.2(a)**

**Item 2-7.1:**

The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

**Condition 2-8: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-3.3(a)**

**Item 2-8.1:**

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

**Condition 2-9: Standard Requirement - Provide Information**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6.5(a)(4)**

**Item 2-9.1:**

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 2-10: General Condition - Right to Inspect**  
**Effective between the dates of 08/26/2008 and 03/22/2009**



**Applicable Federal Requirement:6NYCRR 201-6.5(a)(8)**

**Item 2-10.1:**

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 2-11: Standard Requirements - Progress Reports**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6.5(d)(5)**

**Item 2-11.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 2-12: Off Permit Changes**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6.5(f)(6)**

**Item 2-12.1:**

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.



(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

**Condition 2-13: Required Emissions Tests**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 202-1.1**

**Item 2-13.1:**

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

**Condition 2-14: Visible Emissions Limited**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 211.3**

**Item 2-14.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 13: Accidental release provisions.**  
**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:40CFR 68**

**Item 13.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be



submitted to:

USEPA Region 2  
Air Compliance Branch  
290 Broadway  
New York, NY 10007-1866  
ATTN: Accidental Release Program contact

**Condition 2-15: Accidental release provisions.**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 68**

**Item 2-15.1:**

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center  
C/O CSC  
8400 Corporate Dr  
Carrollton, Md. 20785

**Condition 14: Recycling and Emissions Reduction**  
**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 14.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**The following conditions are subject to annual compliance certification requirements for Title V permits only.**

**Condition 1: False statement**



**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 200.3**

**Item 1.1:**

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

**Condition 2-16: Acceptable Ambient Air Quality**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 200.6**

**Item 2-16.1:**

The provisions of 6NYCRR Part 200.6 apply to this facility.

**Condition 2: Emission Unit Definition**  
**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6**

**Item 2.1(From Mod 2):**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1-MBMWC

Emission Unit Description:

Emission unit consists of a municipal waste combustor/boiler with a nominal design capacity of 375 tons per day. The combustor is a mass burn waterwall design that utilizes a martin stoker technology. The combustor exhausts through a separate flue in a stack common to the second combustor/boiler. Air pollution control equipment at the Babylon Resource Recovery Facility (BRRF) includes dry scrubbers for acid gas control, a selective non-catalytic reduction (SNCR) process using urea based reagents to control nitrogen oxides, activated carbon injection for mercury control, fabric filters for particulate removal and good combustion practices. The BRRF employs a continuous emission monitoring system (CEMS) that provides continuous feedback on the efficiencies of the air pollution control (APC) equipment. The base operating scenario for the BRRF includes the combustion of solid waste in two 375 tpd units as allowed in the BRRF's solid waste permit contained in the facility's certificate to operate and as otherwise approved by NYSDEC. The facility is authorized to receive municipal solid waste which includes residential, commercial and governmental and/or institutional waste, the combustible portion of construction and demolition (C&D) debris, light industrial waste, treated regulated medical waste, treated and destroyed medical waste, and other non-hazardous industrial waste streams as approved by NYSDEC on a case



by case basis. The BRRF uses no. 2 fuel oil as an auxiliary fuel only in its base operating scenario. Fuel oil is used during startup to warm the unit up to the minimum required combustion zone temperature and residence time before introducing refuse into the furnace and during the transition period before the fires are fully sustained by the refuse. Fuel oil is used as an auxiliary fuel during shutdown in order to maintain minimum combustion zone temperature and residence time requirements until refuse is burned off the grates. Auxiliary fuel is also used during periods of upset and at any other time the furnace temperature/residence time requirements would not otherwise be met. BRRF is subject to 40 CFR 60 Subpart Cb. The BRRF will follow the procedures outlined therein for startup, shutdown and malfunction relief. The standards regulated under this subpart, and, therefore, for which the regulations provide startup, shutdown and malfunction relief, are particulate matter, opacity, sulfur dioxide, hydrogen chloride, nitrogen oxides, carbon monoxide and baghouse inlet temperature. Furthermore, combustion index, as well as additional permit limits for the constituents listed above, is logically afforded the same relief, since combustion index is based on the carbon monoxide measurement and is addressing the same principal as the carbon monoxide permit limit, i.e., requiring a certain combustion efficiency. The BRRF will follow the procedures for malfunction relief as outlined in 40 CFR 60 Subpart Cb as discussed above and can seek relief for additional regulated parameters from NYSDEC on a case by case basis pursuant to 6 NYCRR Part 201-4. In addition, the emergency defense provision of 6 NYCRR Part 201-1.5 also applies to BRRF. The following descriptions/definitions will be utilized to identify MWC operating modes. Warmup: fuel oil is typically the fuel used during the warmup period at the BRRF. The BRRF is in the warmup stage when only fossil fuel is being fired in order to warm the unit up to minimum combustion zone temperatures, or to keep the unit warm, before MSW feeding has commenced. Startup: startup is initiated at the BRRF when a boiler's feed chute damper is opened and continuous burning of MSW is commenced. Continuous burning: 40 CFR 60 Subpart Cb defines continuous burning as "the continuous, semi-continuous, or batch feeding of MSW for purposes of waste disposal, energy production, or providing heat to the combustion system in preparation for waste disposal or energy production. The use of MSW solely to provide thermal protection of the grate or hearth during the startup period shall not be considered to be continuous burning." Shutdown: the shutdown period for a boiler begins when the continuous burning of MSW is ceased and the shutdown period ends when all refuse is burned off the grates. The shutdown period at the BRRF commences when the subject unit's feed chute damper is shut (this is the time at



which continuous feeding is ceased). Shutdown of a unit is complete when all of the municipal solid waste is burned off the grates. The operator verifies that the shutdown is complete by visually inspecting the grates to make sure the fires are out. Malfunction: 40 CFR 60.2 defines malfunction as "any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions." Malfunction is similarly defined in 6 NYCRR Part 201-2 as "any sudden and unavoidable failure of an air cleaning device or air contamination source to operate in compliance with all applicable parts of this chapter [6 NYCRR Part 201] and shall not include failures that are caused entirely or partially by poor maintenance, careless operation, or other preventable condition." Emergency Conditions: 6 NYCRR Part 201-2(b)(12) defines emergency as "any situation arising from suddenly and reasonably unforeseeable events beyond the control of the owner and/or operator of a facility, including acts of God, which situation requires immediate corrective action to restore normal operation and which causes the emission source to exceed a technology-based requirement under the permit of state-established emission limitations, due to unavoidable increases in emissions attributable to the situation. An emergency shall not include situations caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error." The BRRF modification of the existing Title V permit establishes certified emission reduction credits (ERC) for past emission reductions which are the result of over-controlling for nitrogen oxide (NOx) emissions from the two existing municipal waste combustor units. The NOx emissions will be limited to 245 tons per year, with a daily 24 hour block average of 150 ppm by volume (dry, corrected to 7% oxygen). The amount of ERCs to be created via the over-controlling for NOx emission will be 141 tons. The modification includes the adoption of PAH/PCB testing to follow the testing for dioxin/furan testing (i.e. testing of one unit per year on a rotating basis per 40 CFR 60.38b) and the processing of the ash leachate from the adjacent Babylon monofill to be injected into the spray dry adsorber at a maximum rate of 1300 gallons per hour.

Building(s): 1

**Item 2.2(From Mod 2):**

The facility is authorized to perform regulated processes under this permit for:  
Emission Unit: 2-MBMWC

**Emission Unit Description:**

Emission unit consists of a municipal waste combustor/boiler with a nominal design capacity of 375 tons per day. The combustor is a mass burn waterwall design that utilizes a martin stoker technology. The combustor exhausts through a separate flue in a stack common to the second combustor/boiler. Air pollution control equipment at the Babylon Resource Recovery Facility (BRRF) includes dry scrubbers for acid gas control, a selective non-catalytic reduction (SNCR) process using urea based reagents to control nitrogen oxides, activated carbon injection for mercury control, fabric filters for particulate removal and good combustion practices. The BRRF employs a continuous emission monitoring system (CEMS) that provides continuous feedback on the efficiencies of the air pollution control (APC) equipment. The base operating scenario for the BRRF includes the combustion of solid waste in two 375 tpd units as allowed in the BRRF's solid waste permit contained in the facility's certificate to operate and as otherwise approved by NYSDEC. The facility is authorized to receive municipal solid waste which includes residential, commercial and governmental and/or institutional waste, the combustible portion of construction and demolition (C&D) debris, light industrial waste, treated regulated medical waste, treated and destroyed medical waste, and other non-hazardous industrial waste streams as approved by NYSDEC on a case by case basis. The BRRF uses no. 2 fuel oil as an auxiliary fuel only in its base operating scenario. Fuel oil is used during startup to warm the unit up to the minimum required combustion zone temperature and residence time before introducing refuse into the furnace and during the transition period before the fires are fully sustained by the refuse. Fuel oil is used as an auxiliary fuel during shutdown in order to maintain minimum combustion zone temperature and residence time requirements until refuse is burned off the grates. Auxiliary fuel is also used during periods of upset and at any other time the furnace temperature/residence time requirements would not otherwise be met. BRRF is subject to 40 CFR 60 Subpart Cb. The BRRF will follow the procedures outlined therein for startup, shutdown and malfunction relief. The standards regulated under this subpart, and, therefore, for which the regulations provide startup, shutdown and malfunction relief, are particulate matter, opacity, sulfur dioxide, hydrogen chloride, nitrogen oxides, carbon monoxide and baghouse inlet temperature. Furthermore, combustion index, as well as additional permit limits for the constituents listed above, is logically afforded the same relief, since combustion index is based on the carbon monoxide measurement and is addressing the same principal as the carbon monoxide permit limit, i.e., requiring a certain



combustion efficiency. The BRRF will follow the procedures for malfunction relief as outlined in 40 CFR 60 Subpart Cb as discussed above and can seek relief for additional regulated parameters from NYSDEC on a case by case basis pursuant to 6 NYCRR Part 201-4. In addition, the emergency defense provision of 6 NYCRR Part 201-1.5 also applies to BRRF. The following descriptions/definitions will be utilized to identify MWC operating modes. Warmup: fuel oil is typically the fuel used during the warmup period at the BRRF. The BRRF is in the warmup stage when only fossil fuel is being fired in order to warm the unit up to minimum combustion zone temperatures, or to keep the unit warm, before MSW feeding has commenced. Startup: startup is initiated at the BRRF when a boiler's feed chute damper is opened and continuous burning of MSW is commenced. Continuous burning: 40 CFR 60 Subpart Cb defines continuous burning as "the continuous, semi-continuous, or batch feeding of MSW for purposes of waste disposal, energy production, or providing heat to the combustion system in preparation for waste disposal or energy production. The use of MSW solely to provide thermal protection of the grate or hearth during the startup period shall not be considered to be continuous burning." Shutdown: the shutdown period for a boiler begins when the continuous burning of MSW is ceased and the shutdown period ends when all refuse is burned off the grates. The shutdown period at the BRRF commences when the subject unit's feed chute damper is shut (this is the time at which continuous feeding is ceased). Shutdown of a unit is complete when all of the municipal solid waste is burned off the grates. The operator verifies that the shutdown is complete by visually inspecting the grates to make sure the fires are out. Malfunction: 40 CFR 60.2 defines malfunction as "any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions." Malfunction is similarly defined in 6 NYCRR Part 201-2 as "any sudden and unavoidable failure of an air cleaning device or air contamination source to operate in compliance with all applicable parts of this chapter [6 NYCRR Part 201] and shall not include failures that are caused entirely or partially by poor maintenance, careless operation, or other preventable condition." Emergency Conditions: 6 NYCRR Part 201-2(b)(12) defines emergency as "any situation arising from suddenly and reasonably unforeseeable events beyond the control of the owner and/or operator of a facility, including acts of God, which situation requires immediate corrective action to restore normal operation and which causes the emission source to exceed a technology-based



requirement under the permit of state-established emission limitations, due to unavoidable increases in emissions attributable to the situation. An emergency shall not include situations caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error." The BRRF modification of the existing Title V permit establishes certified emission reduction credits (ERC) for past emission reductions which are the result of over-controlling for nitrogen oxide (NOx) emissions from the two existing municipal waste combustor units. The NOx emissions will be limited to 245 tons per year, with a daily 24 hour block average of 150 ppm by volume (dry, corrected to 7% oxygen). The amount of ERCs to be created via the over-controlling for NOx emission will be 141 tons. The modification includes the adoption of PAH/PCB testing to follow the testing for dioxin/furan testing (i.e. testing of one unit per year on a rotating basis per 40 CFR 60.38b) and the processing of the ash leachate from the adjacent Babylon monofill to be injected into the spray dry adsorber at a maximum rate of 1300 gallons per hour.

Building(s): 1

**Condition 2-17: Facility Permissible Emissions**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-7.2**

**Item 2-17.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0 (From Mod 2) PTE: 490,000 pounds per year  
Name: OXIDES OF NITROGEN

**Condition 2-18: Capping Monitoring Condition**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-7.2**

**Item 2-18.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6NYCRR 231-2.6

**Item 2-18.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms,



conditions and standards in this permit.

**Item 2-18.3:**

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 2-18.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 2-18.5:**

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 2-18.6:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC

Emission Unit: 2-MBMWC

Regulated Contaminant(s):

CAS No: 0NY210-00-0      OXIDES OF NITROGEN

**Item 2-18.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Annual OXIDES OF NITROGEN (NO<sub>x</sub>) Limit.

The Babylon Resource Recovery Facility has established 141 tons of NO<sub>x</sub> emission reduction credits by overcontrolling NO<sub>x</sub> emissions from the two existing municipal waste combustors.

The mass emission rate of NO<sub>x</sub> in pounds per hour shall be determined by the following equation, which is based on 40CFR60, Appendix A, Method 19. This equation utilizes a design heat input of 146.625 MM Btu per hour, Method 19 "F" factor for MSW and NO<sub>x</sub> conversion factor from Table 19.1 :

$$\text{NO}_x \text{ (lb/hr)} = (\text{NO}_x \text{ ppm dry corrected to 7\% O}_2) \times 0.2416$$



The tons of NO<sub>x</sub> emission shall be determined by the following equation:

$$\text{NO}_x \text{ (tons)} = (\text{NO}_x \text{ lb/hr}) \times (\text{Actual valid operating hours}) / (2000)$$

Records for demonstration of compliance with the NO<sub>x</sub> emission limit shall be maintained on site for five years. These records shall include i) mass emissions totaled over each 24-hour daily period (the total of hourly averages 12:00 midnight to the following midnight), and ii) the total mass emissions over a 365 day period beginning with the issuance of this NO<sub>x</sub> ERC permit modification. Any exceedance of the allowable annual NO<sub>x</sub> emission limitation must be reported in writing to the DEC Regional office within 10 working days of the exceedance.

Annual Relative Accuracy Test Audits of mass emission rate must be performed in accordance with 40CFR60, Appendix B, Performance Specification (PS) 6.

Manufacturer Name/Model Number: Thermo Environmental 42  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 245 tons per year  
Reference Test Method: EPA Method 19  
Monitoring Frequency: CONTINUOUS  
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2008.  
Subsequent reports are due every 3 calendar month(s).

**Condition 2-19: Required Emissions Tests - Facility Level**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 202-1.1**

Item 2-19.1:

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

**Condition 7: Acceptable procedures**  
**Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 202-1.3**

Item 7.1:

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 8: Acceptable procedures - Stack test report submittal**



Effective between the dates of 03/23/2004 and 03/22/2009

Applicable Federal Requirement:6NYCRR 202-1.3

**Item 8.1:**

Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

**Condition 2-20: Compliance Certification**

Effective between the dates of 08/26/2008 and 03/22/2009

Applicable Federal Requirement:6NYCRR 219-5.4

**Item 2-20.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

**Item 2-20.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



**Stack Test Frequency:**

Stack tests shall be conducted at intervals specified by the Department for the following pollutants: particulates, hydrogen chloride, heavy metals (arsenic, beryllium, cadmium, chromium, lead, mercury, and nickel), polychlorinated dibenzo-p-dioxins, polychlorinated dibenzo furans, polycyclic aromatic hydrocarbons, polychlorinated biphenyls. This list may be changed as deemed necessary by the Commissioner of NYSDEC. The permittee must also comply with the testing frequencies as required by 40 CFR 60, Subpart Cb.

A protocol for the stack testing must be submitted to NYSDEC for approval at least 90 days prior to the start of the stack test. The Department will not accept the results of any stack tests done in the absence of an approved protocol.

Compliance with sulfur dioxide, oxides of nitrogen and carbon monoxide emission limits are based on facility continuous emission monitoring system.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-21: Compliance Certification**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 231-2.6**

**Item 2-21.1:**

The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH



Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01MWC

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01NOX

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01SDA

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 1SHIC

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 2-21.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Oxides of nitrogen (NO<sub>x</sub>) limit for each flue of mass burn waterwall municipal waste combustor (MWC), not Utilizing a NO<sub>x</sub> emission averaging plan. This limit has been established based on a NO<sub>x</sub> emission reduction credit (ERC) application dated July 2003 and replaces the NO<sub>x</sub> limit required by 40 CFR 60.33b(d), Subpart Cb (Emission Guidelines for Existing Large MWC), and replaces permit condition no 26.

Manufacturer Name/Model Number: Thermo Environmental 42

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 150 parts per million by volume  
(dry, corrected to 7% O<sub>2</sub>)

Reference Test Method: 40 CFR 60 App B & F

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR BLOCK AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

Subsequent reports are due every 3 calendar month(s).

**Condition 2-22: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 52.21(j)(2), Subpart A**

**Replaces Condition(s) 39**

**Item 2-22.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 001BH



Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK

**Item 2-22.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Operational requirement from PSD permit for combustion efficiency, defined as  $[(CO_2 \times 100) / (CO_2 + CO)]^{**}$ , in each furnace shall be maintained at or above the limit shown in this condition. These parameters are continuously monitored to assess compliance. This emission standard applies at all times when combusting MSW.

\*\* CO<sub>2</sub> = Carbon dioxide conc. in parts per million  
CO = Carbon monoxide conc. in parts per million

Manufacturer Name/Model Number: As Per Plan  
Parameter Monitored: COMBUSTION EFFICIENCY  
Lower Permit Limit: 99.5 percent  
Reference Test Method: 40 CFR 60 App B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 8-HOUR RUNNING AVERAGE ROLLED HOURLY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2008.



Subsequent reports are due every 3 calendar month(s).

**Condition 2-23: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 52.21(j)(2), Subpart A**

**Replaces Condition(s) 41**

**Item 2-23.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX

**Item 2-23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Operational requirement from PSD permit for combustion efficiency, defined as  $[(CO_2 \times 100) / (CO_2 + CO)]^{**}$ , in each furnace shall be maintained at or above the limit shown in this condition with 7-day running average. These parameters are continuously monitored to assess



compliance. This emission standard applies at all times when combusting MSW.

\*\* CO2 = Carbon dioxide conc. in parts per million  
CO = Carbon monoxide conc. in parts per million

Manufacturer Name/Model Number: As Per Plan  
Parameter Monitored: COMBUSTION EFFICIENCY  
Lower Permit Limit: 99.8 percent  
Reference Test Method: 40 CFR 60 App B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 7-DAY AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2008.  
Subsequent reports are due every 3 calendar month(s).

**Condition 2-24: Compliance Certification**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 52.21(j)(2), Subpart A**

**Replaces Condition(s) 38**

**Item 2-24.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA



Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: SHICK

**Item 2-24.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Auxiliary burners shall be installed in each refuse furnace. The auxiliary burners shall be used to achieve the minimum temperature and residence time of 1800 degrees Fahrenheit for one second in the combustion zone on a continuous basis, prior to commencing refuse feed during start-up, during shutdown until complete burn out is accomplished and during normal and upset operation and unless otherwise provided for in the operating plan specified in facility's approved operation and maintenance manual detailing practices and procedures to be followed during start-up, shutdown and upset conditions.

Compliance with this combustion zone temperature limit is based on surrogate temperature value and location per temperature modeling/testing conducted by the facility and approved by NYSDEC. The facility must operate in accordance with time/temperature reports submitted in April 1993 and revised in July 1995 and approved by NYSDEC in February 1996. This parameter shall be continuously monitored to assess compliance.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1800 degrees Fahrenheit

Reference Test Method: NYSDEC Acceptable

Monitoring Frequency: CONTINUOUS

Averaging Method: 30 MINUTE CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-25: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 52.21(j)(2), Subpart A**

**Replaces Condition(s) 37**

**Item 2-25.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 001BH

Emission Unit: 2-MBMWC

Emission Point: 00004



Process: 2MW	Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Regulated Contaminant(s): CAS No: 007647-01-0	HYDROGEN CHLORIDE

**Item 2-25.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Continuous emissions monitor for HCL shall be installed and operated on each incinerator exhaust stack, contingent upon the availability of a reliable continuous monitor, as determined by NYSDEC.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-26: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 52.21(j)(2), Subpart A**

**Replaces Condition(s) 40**

**Item 2-26.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:



Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Regulated Contaminant(s): CAS No: 0NY210-00-0	OXIDES OF NITROGEN

**Item 2-26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOx emission limit from PSD permit of 6.6 lb NOx per ton MSW burned by each incinerator. NOx mass emissions shall be calculated using the NOx concentrations by CEMS and values recorded on a continuous basis. Compliance based on CEMS including verification of mass emission by stack emission tests at interval specified by NYSDEC, using 40 CFR 60, Appendix A, Method 7 or equivalent and flue flowrate using Method 2.

Manufacturer Name/Model Number: Thermo Environmental Model 10S-32984-243

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 6.6 pounds per ton

Reference Test Method: See Description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 2-28: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.33b(d), NSPS Subpart Cb**

**Item 2-28.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00MWC

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00NOX

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00SDA

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: SHICK

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 001BH

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01MWC

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01NOX

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01SDA

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 1SHIC

Regulated Contaminant(s):

CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 2-28.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Nitrogen Oxide emission limit, for each incinerator, for  
mass burn waterwall municipal waste combustor, not



utilizing a NOx emissions averaging plan.

Manufacturer Name/Model Number: Thermo Environmental 10S  
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 150 parts per million by volume  
(dry, corrected to 7% O2)  
Reference Test Method: 40 CFR 60 App B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2008.  
Subsequent reports are due every 3 calendar month(s).

**Condition 2-27: Compliance Certification**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.36b, NSPS Subpart Cb**

**Replaces Condition(s) 33**

**Item 2-27.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC	Emission Point: 00004



Process: 2MW

Emission Source: 1SHIC

**Item 2-27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Discharge to the atmosphere of visible emissions of combustion ash from the ash conveying system (including conveyor transfer points) may not exceed 5 percent of the observation period (i.e. 9 minutes per 3-hour period), as determined by EPA Reference Method 22 observations. This emission limit does not cover visible emissions discharged inside buildings or enclosures of ash conveying systems; however, it does cover visible emissions discharged to the atmosphere from buildings or enclosures of ash conveying systems. This emission limit does not apply during maintenance and repair of ash conveying systems.

Parameter Monitored: OPACITY

Upper Permit Limit: 5 percent

Reference Test Method: EPA Ref. Method 22

Monitoring Frequency: ANNUALLY

Averaging Method: 9 MINUTES PER 3-HOUR PERIOD

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-29: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.39b(a), NSPS Subpart Cb**

**Replaces Condition(s) 12**

**Item 2-29.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00MWC

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00NOX

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00SDA

Emission Unit: 1-MBMWC

Emission Point: 00003



Process: 1MW	Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

**Item 2-29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Permittee shall comply with the reporting and recordkeeping requirements listed in §60.59b of Subpart Eb, as applicable, excluding the siting requirements under §60.59b(a), (b)(5), and (d)(11).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 15: Emission Point Definition By Emission Unit**  
Effective between the dates of 03/23/2004 and 03/22/2009

**Applicable Federal Requirement:6NYCRR 201-6**

**Item 15.1(From Mod 2):**

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-MBMWC

Emission Point: 00003

Height (ft.): 170

Diameter (in.): 57

NYTMN (km.): 4510.5

NYTME (km.): 636.243

Building: 1

**Item 15.2(From Mod 2):**



The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 2-MBMWC

Emission Point: 00004

Height (ft.): 170

Diameter (in.): 57

NYTMN (km.): 4510.512 NYTME (km.): 636.237 Building: 1

**Condition 16: Process Definition By Emission Unit  
Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable Federal Requirement:6NYCRR 201-6**

**Item 16.1(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-MBMWC

Process: 1MW

Source Classification Code: 5-01-001-02

Process Description:

Municipal waste combustor rated at a 375 tpd nominal capacity processing solid waste. The base operating scenario for the Babylon Resource Recovery Facility (BRRF) includes the combustion of solid waste as allowed in the BRRF solid waste permit contained in the facility's certificate to operate and as otherwise approved by NYSDEC. The facility is authorized to receive municipal solid waste which includes residential, commercial and governmental and/or institutional waste, the combustible portion of construction and demolition (C&D) debris, light industrial waste, treated regulated medical waste, treated and destroyed medical waste, and other non-hazardous industrial waste streams as approved by NYSDEC on a case by case basis. The authorized non-hazardous waste is hereby termed as "MSW".

BRRF will follow the procedures outlined in 40 CFR 60, Subpart Cb and 6 NYCRR Part 201-1.4 for startup, shutdown and malfunction relief.

Replaces process MSW.

Emission Source/Control: 000BH - Control

Control Type: FABRIC FILTER

Emission Source/Control: 00NOX - Control

Control Type: SELECTIVE NON-CATALYTIC REDUCTION  
(SNCR)

Emission Source/Control: 00SDA - Control

Control Type: DRY SPRAY ABSORPTION

Emission Source/Control: SHICK - Control

Control Type: ACTIVATED CARBON INJECTION



Emission Source/Control: 00MWC - Incinerator  
Design Capacity: 375 tons per day  
Waste Feed Method: CHUTE FED  
Waste Type: MUNICIPAL SOLID WASTE AND/OR SOLID  
WASTE

**Item 16.2(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-MBMWC

Process: 1ST

Source Classification Code: 5-01-001-02

Process Description:

Municipal waste combustor firing no. 2 fuel oil during startup/shutdown and malfunction in addition to conditions while transitioning to/from MSW firing or to maintain required furnace temperatures. The Babylon Resource Recovery Facility (BRRF) uses no. 2 fuel oil as an auxiliary fuel only in its base operating scenario. Fuel oil is used during startup to warm the unit up to the minimum required combustion zone temperature and residence time before introducing refuse into the furnace and during the transition period before the fires are fully sustained by the refuse. Fuel oil is used as an auxiliary fuel during shutdown in order to maintain minimum combustion zone temperature and residence time requirements until refuse is burned off the grates. Auxiliary fuel is also used during periods of upset and at any other time the furnace temperature/residence time requirements would not otherwise be met.

BRRF will follow the procedures outlined in 40 CFR 60, Subpart Cb and 6 NYCRR Part 201-1.4 for startup, shutdown and malfunction relief and can seek relief for additional regulated parameters from NYSDEC on a case by case basis pursuant to 6 NYCRR Part 201-1.4. In addition, the emergency defense provision of 6 NYCRR Part 201-1.5 also applies to BRRF. The following descriptions/definitions will be utilized to identify MWC operating modes.

1. Warm-up: Fuel oil is typically the fuel used during the warmup period at the BRRF. The BRRF is in the warmup stage when only fossil fuel is being fired in order to warm the unit up to minimum combustion zone temperatures, or to keep the unit warm, before MSW feeding has commenced.
2. Start-up: Startup is initiated at the BRRF when a boiler's feed chute damper is opened and continuous burning of MSW is commenced.
3. Continuous burning: Defines continuous burning as "the continuous, semi-continuous, or batch feeding of MSW



for purposes of waste disposal, energy production, or providing heat to the combustion system in preparation for waste disposal or energy production. The use of MSW solely to provide thermal protection of the grate or hearth during the startup period shall not be considered to be continuous burning."

4. Shutdown: The shutdown period for a boiler begins when the continuous burning of MSW is ceased and the shutdown period ends when all refuse is burned off the grates. The shutdown period at the BRRF commences when the subject unit's feed chute damper is shut (this is the time at which continuous feeding is ceased). Shutdown of a unit is complete when all of the municipal solid waste is burned off the grates. The operator verifies that the shutdown is complete by visually inspecting the grates to make sure the fires are out.

5. Malfunction: 40 CFR 60.2 defines malfunction as "any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions." malfunction is similarly defined in 6 NYCRR Part 201-2 as "any sudden and unavoidable failure of an air cleaning device or air contamination source to operate in compliance with all applicable parts of this chapter [6 NYCRR Part 201] and shall not include failures that are caused entirely or partially by poor maintenance, careless operation, or other preventable condition."

6. Emergency Conditions: 6 NYCRR Part 201-2(b)(12) defines emergency as "any situation arising from suddenly and reasonably unforeseeable events beyond the control of the owner and/or operator of a facility, including acts of God, which situation requires immediate corrective action to restore normal operation and which causes the emission source to exceed a technology-based requirement under the permit of state-established emission limitations, due to unavoidable increases in emissions attributable to the situation. An emergency shall not include situations caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error."

Replaces process STS.

Emission Source/Control: 000BH - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 00NOX - Control



Control Type: SELECTIVE NON-CATALYTIC REDUCTION  
(SNCR)

Emission Source/Control: 00SDA - Control  
Control Type: DRY SPRAY ABSORPTION

Emission Source/Control: SHICK - Control  
Control Type: ACTIVATED CARBON INJECTION

Emission Source/Control: 00MWC - Incinerator  
Design Capacity: 375 tons per day  
Waste Feed Method: CHUTE FED  
Waste Type: MUNICIPAL SOLID WASTE AND/OR SOLID  
WASTE

**Item 16.3(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 2-MBMWC

Process: 2MW

Source Classification Code: 5-01-001-02

Process Description:

Municipal waste combustor rated at a 375 tpd nominal capacity processing solid waste. The base operating scenario for the Babylon Resource Recovery Facility (BRRF) includes the combustion of solid waste as allowed in the BRRF solid waste permit contained in the facility's certificate to operate and as otherwise approved by NYSDEC. The facility is authorized to receive municipal solid waste which includes residential, commercial and governmental and/or institutional waste, the combustible portion of construction and demolition (C&D) debris, light industrial waste, treated regulated medical waste, treated and destroyed medical waste, and other non-hazardous industrial waste streams as approved by NYSDEC on a case by case basis. The authorized non-hazardous waste is hereby termed as "MSW".

BRRF will follow the procedures outlined in 40 CFR 60, Subpart Cb and 6 NYCRR Part 201-1.4 for startup, shutdown and malfunction relief.

Replaces process MSW.

Emission Source/Control: 001BH - Control  
Control Type: FABRIC FILTER

Emission Source/Control: 01NOX - Control  
Control Type: SELECTIVE NON-CATALYTIC REDUCTION  
(SNCR)

Emission Source/Control: 01SDA - Control  
Control Type: DRY SPRAY ABSORPTION



Emission Source/Control: 1SHIC - Control  
Control Type: ACTIVATED CARBON INJECTION

Emission Source/Control: 01MWC - Incinerator  
Design Capacity: 375 tons per day  
Waste Feed Method: CHUTE FED  
Waste Type: MUNICIPAL SOLID WASTE AND/OR SOLID  
WASTE

**Item 16.4(From Mod 2):**

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 2-MBMWC

Process: 2ST

Source Classification Code: 5-01-001-02

Process Description:

Municipal waste combustor firing no. 2 fuel oil during startup/shutdown and malfunction in addition to conditions while transitioning to/from MSW firing or to maintain required furnace temperatures. The Babylon Resource Recovery Facility (BRRF) uses no. 2 fuel oil as an auxiliary fuel only in its base operating scenario. Fuel oil is used during startup to warm the unit up to the minimum required combustion zone temperature and residence time before introducing refuse into the furnace and during the transition period before the fires are fully sustained by the refuse. Fuel oil is used as an auxiliary fuel during shutdown in order to maintain minimum combustion zone temperature and residence time requirements until refuse is burned off the grates. Auxiliary fuel is also used during periods of upset and at any other time the furnace temperature/residence time requirements would not otherwise be met.

BRRF will follow the procedures outlined in 40 CFR 60, Subpart Cb and 6 NYCRR Part 201-1.4 for startup, shutdown and malfunction relief and can seek relief for additional regulated parameters from NYSDEC on a case by case basis pursuant to 6 NYCRR Part 201-1.4. In addition, the emergency defense provision of 6 NYCRR Part 201-1.5 also applies to BRRF. The following descriptions/definitions will be utilized to identify MWC operating modes.

1. Warm-up: Fuel oil is typically the fuel used during the warmup period at the BRRF. The BRRF is in the warmup stage when only fossil fuel is being fired in order to warm the unit up to minimum combustion zone temperatures, or to keep the unit warm, before MSW feeding has commenced.
2. Start-up: Startup is initiated at the BRRF when a boiler's feed chute damper is opened and continuous burning of MSW is commenced.



3. Continuous burning: Defines continuous burning as "the continuous, semi-continuous, or batch feeding of MSW for purposes of waste disposal, energy production, or providing heat to the combustion system in preparation for waste disposal or energy production. The use of MSW solely to provide thermal protection of the grate or hearth during the startup period shall not be considered to be continuous burning."

4. Shutdown: The shutdown period for a boiler begins when the continuous burning of MSW is ceased and the shutdown period ends when all refuse is burned off the grates. The shutdown period at the BRRF commences when the subject unit's feed chute damper is shut (this is the time at which continuous feeding is ceased). Shutdown of a unit is complete when all of the municipal solid waste is burned off the grates. The operator verifies that the shutdown is complete by visually inspecting the grates to make sure the fires are out.

5. Malfunction: 40 CFR 60.2 defines malfunction as "any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions." malfunction is similarly defined in 6 NYCRR Part 201-2 as "any sudden and unavoidable failure of an air cleaning device or air contamination source to operate in compliance with all applicable parts of this chapter [6 NYCRR Part 201] and shall not include failures that are caused entirely or partially by poor maintenance, careless operation, or other preventable condition."

6. Emergency Conditions: 6 NYCRR Part 201-2(b)(12) defines emergency as "any situation arising from suddenly and reasonably unforeseeable events beyond the control of the owner and/or operator of a facility, including acts of God, which situation requires immediate corrective action to restore normal operation and which causes the emission source to exceed a technology-based requirement under the permit of state-established emission limitations, due to unavoidable increases in emissions attributable to the situation. An emergency shall not include situations caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error."

Replaces process STS.

Emission Source/Control: 001BH - Control  
Control Type: FABRIC FILTER



Emission Source/Control: 01NOX - Control  
Control Type: SELECTIVE NON-CATALYTIC REDUCTION  
(SNCR)

Emission Source/Control: 01SDA - Control  
Control Type: DRY SPRAY ABSORPTION

Emission Source/Control: 1SHIC - Control  
Control Type: ACTIVATED CARBON INJECTION

Emission Source/Control: 01MWC - Incinerator  
Design Capacity: 375 tons per day  
Waste Feed Method: CHUTE FED  
Waste Type: MUNICIPAL SOLID WASTE AND/OR SOLID  
WASTE

**Condition 2-30: Compliance Certification**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.33b(a)(1)(i), NSPS Subpart Cb**

**Replaces Condition(s) 18**

**Item 2-30.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA



Emission Unit: 2-MBMWC                      Emission Point: 00004  
Process: 2MW                                      Emission Source: 1SHIC

Regulated Contaminant(s):  
CAS No: 0NY075-00-0      PARTICULATES

**Item 2-30.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit is required to meet an emission limit for particulate matter not to exceed 25 milligrams per dry standard cubic meter, corrected to 7 percent oxygen. Compliance will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done in accordance with 40 CFR 60.39b, as applicable. Subsequent stack emissions tests will be required on annual basis unless otherwise directed by the Department.

Upper Permit Limit: 25 milligrams per dry standard cubic meter (corrected to 7% oxygen)

Reference Test Method: 40 CFR 60 App A RM5

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-31: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.33b(a)(1)(iii), NSPS Subpart Cb**

**Replaces Condition(s) 19**

**Item 2-31.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC                      Emission Point: 00003  
Process: 1MW                                      Emission Source: 000BH

Emission Unit: 1-MBMWC                      Emission Point: 00003  
Process: 1MW                                      Emission Source: 00MWC

Emission Unit: 1-MBMWC                      Emission Point: 00003  
Process: 1MW                                      Emission Source: 00NOX



Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

**Item 2-31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The emission limit for opacity exhibited by the gases discharged to the atmosphere from a designated facility must not exceed 10 percent (6-minute average). Compliance with this limit shall be demonstrated using a continuous opacity monitor (COM) operated in accordance with a quality assurance/ quality control protocol approved by the Department.

Parameter Monitored: OPACITY  
Upper Permit Limit: 10 percent  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2008.  
Subsequent reports are due every 3 calendar month(s).

**Condition 2-32: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.33b(a)(2)(i), NSPS Subpart Cb**

**Replaces Condition(s) 20**

**Item 2-32.1:**



The Compliance Certification activity will be performed for the facility:  
 The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Regulated Contaminant(s): CAS No: 007440-43-9	CADMIUM

**Item 2-32.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit is required to meet an emission limit for cadmium not to exceed 35 micrograms per dry standard cubic meter, corrected to 7 percent oxygen. Compliance will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done in accordance with 40 CFR 60.39b, as applicable. Subsequent stack emissions tests will be required on annual basis unless otherwise directed by the Department.



Upper Permit Limit: 35 micrograms per dry standard cubic meter (corrected to 7% oxygen)

Reference Test Method: EPA Ref Test Method

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-33: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.33b(a)(3), NSPS Subpart Cb**

**Item 2-33.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00MWC

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00NOX

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00SDA

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: SHICK

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 001BH

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01MWC

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01NOX

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01SDA

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 1SHIC

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY



**Item 2-33.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit is required to meet the less stringent of either of the following: an emission limit for mercury not to exceed 50 micrograms per dry standard cubic meter, corrected to 7 percent oxygen or, an 85 percent reduction by weight of the potential mercury emission concentration. Compliance with the emission concentration limit will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done in accordance with 40 CFR 60.39b, as applicable. Subsequent stack emissions tests will be required on annual basis unless otherwise directed by the Department.

Upper Permit Limit: 50 micrograms per dry standard cubic meter (corrected to 7% oxygen)

Reference Test Method: 40 CFR 60 App A RM29

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-34: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.33b(a)(3), NSPS Subpart Cb**

**Item 2-34.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 001BH

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01MWC

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01NOX

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01SDA

Emission Unit: 2-MBMWC

Emission Point: 00004



Process: 2MW	Emission Source: 1SHIC
Emission Unit: 1-MBMWC	Emission Point: 00003
Process: 1MW	Emission Source: 000BH
Emission Unit: 1-MBMWC	Emission Point: 00003
Process: 1MW	Emission Source: 00MWC
Emission Unit: 1-MBMWC	Emission Point: 00003
Process: 1MW	Emission Source: 00NOX
Emission Unit: 1-MBMWC	Emission Point: 00003
Process: 1MW	Emission Source: 00SDA
Emission Unit: 1-MBMWC	Emission Point: 00003
Process: 1MW	Emission Source: SHICK

Regulated Contaminant(s):  
CAS No: 007439-97-6      MERCURY

**Item 2-34.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit is required to meet the less stringent of either of the following: an emission limit for mercury not to exceed 50 micrograms per dry standard cubic meter, corrected to 7 percent oxygen or, an 85 percent reduction by weight of the potential mercury emission concentration. Compliance with the latter (percent reduction) limit will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done in accordance with 40 CFR 60.39b, as applicable. Subsequent stack emissions tests will be required on annual basis unless otherwise directed by the Department.

Lower Permit Limit: 85 percent reduction by weight  
(corrected to 7% O<sub>2</sub>, dry basis)

Reference Test Method: 40 CFR 60 App A RM29

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-35: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**



**Applicable Federal Requirement:40CFR 60.33b(a)(4), NSPS Subpart Cb**

**Item 2-35.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

Regulated Contaminant(s):  
CAS No: 007439-92-1      LEAD

**Item 2-35.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit is required to meet an emission limit for lead not to exceed 400 micrograms per dry standard cubic meter, corrected to 7 percent oxygen. Compliance will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done



in accordance with 40 CFR 60.39b, as applicable.  
Subsequent stack emissions tests will be required on  
annual basis unless otherwise directed by the  
Department.

Upper Permit Limit: 400 micrograms per dry standard  
cubic meter (corrected to 7% oxygen)  
Reference Test Method: 40 CFR 60 App A RM29  
Monitoring Frequency: ANNUALLY  
Averaging Method: ARITHMETIC MEAN  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2009.  
Subsequent reports are due every 6 calendar month(s).

**Condition 2-36: Compliance Certification**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.33b(b)(3)(i), NSPS Subpart Cb**

**Item 2-36.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC



Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 2-36.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Each affected MWC unit is required to meet the less stringent of either of the following: an emission limit for sulfur dioxide not to exceed 29 parts per million by volume or 25 percent of the potential sulfur dioxide emission concentration (75-percent reduction by weight or volume), corrected to 7 percent oxygen (dry basis). Compliance with these limits is based on a 24-hour daily geometric mean. To demonstrate compliance with the emission limit the owner or operator of the facility shall install, calibrate, maintain and operate a continuous emissions monitor for sulfur dioxide according to a QA/QC plan approved by the Department.

Upper Permit Limit: 29 parts per million by volume (dry, corrected to 7% O<sub>2</sub>)

Reference Test Method: 40 CFR 60 App B & F

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (GEOMETRIC MEAN)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

Subsequent reports are due every 3 calendar month(s).

**Condition 2-37: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.33b(b)(3)(i), NSPS Subpart Cb**

**Item 2-37.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00MWC

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00NOX

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00SDA



Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Regulated Contaminant(s): CAS No: 007446-09-5	SULFUR DIOXIDE

**Item 2-37.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Each affected MWC unit is required to meet the less stringent of either of the following: an emission limit for sulfur dioxide not to exceed 29 parts per million by volume or 25 percent of the potential sulfur dioxide emission concentration (75-percent reduction by weight or volume), corrected to 7 percent oxygen (dry basis). Compliance with these limits is based on a 24-hour daily geometric mean. To demonstrate compliance with the percent reduction limit the owner or operator of the facility shall install, calibrate, maintain and operate a continuous emissions monitor for sulfur dioxide according to a QA/QC plan approved by the Department

Lower Permit Limit: 75 percent reduction by weight or volume (corrected to 7% O<sub>2</sub>, dry basis)

Reference Test Method: 40 CFR 60 App B & F

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (GEOMETRIC MEAN)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2008.

Subsequent reports are due every 3 calendar month(s).

**Condition 2-38: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**



**Applicable Federal Requirement: 40CFR 60.33b(b)(3)(ii), NSPS Subpart Cb**

**Item 2-38.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

Regulated Contaminant(s):  
CAS No: 007647-01-0      HYDROGEN CHLORIDE

**Item 2-38.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit is required to meet the less stringent of either of the following: an emission limit for hydrogen chloride not to exceed 29 part per million by volume, corrected to 7 percent oxygen (dry basis) or, an 95 percent reduction by weight or volume of the potential hydrogen chloride emission concentration. Compliance with the emission concentration limit will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and



schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done in accordance with 40 CFR 60.39b, as applicable. Subsequent stack emissions tests will be required on annual basis unless otherwise directed by the Department.

Upper Permit Limit: 29 parts per million by volume (dry, corrected to 7% O<sub>2</sub>)

Reference Test Method: 40 CFR 60 App A RM26/26A

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-39: Compliance Certification**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.33b(b)(3)(ii), NSPS Subpart Cb**

**Item 2-39.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA



Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 1SHIC

Regulated Contaminant(s):

CAS No: 007647-01-0      HYDROGEN CHLORIDE

**Item 2-39.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit is required to meet the less stringent of either of the following: an emission limit for hydrogen chloride not to exceed 29 part per million by volume, corrected to 7 percent oxygen (dry basis) or, an 95 percent reduction by weight or volume of the potential hydrogen chloride emission concentration. Compliance with the latter (percent reduction) limit will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done in accordance with 40 CFR 60.39b, as applicable. Subsequent stack emissions tests will be required on annual basis unless otherwise directed by the Department.

Lower Permit Limit: 95 percent reduction by weight or volume (corrected to 7% O<sub>2</sub>, dry basis)

Reference Test Method: 40 CFR 60 App A RM26/26A

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-40: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.33b(c)(1)(iii), NSPS Subpart Cb**

**Item 2-40.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00MWC



Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Regulated Contaminant(s): CAS No: 001746-01-6	2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN

**Item 2-40.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Each affected MWC unit which does not employ an electrostatic precipitator for emission controls is required to meet an emission concentration limit for dioxin/furan not to exceed 30 nanograms per dry standard cubic meter (total mass), corrected to 7 percent oxygen. Compliance with the limit will be determined by conducting a stack emission test according to a protocol and schedule approved by the Department. The protocol and schedule for the initial test are to be submitted within 180 days of the issued date of this permit. Reporting shall be done in accordance with 40 CFR 60.39b, as applicable. Subsequent stack emissions tests will be required on annual basis unless otherwise directed by the Department.

Upper Permit Limit: 30 nanograms per dry standard cubic meter (total mass, corrected to 7% O<sub>2</sub>)

Reference Test Method: 40 CFR 60 App A RM23

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN



Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-41: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.34b(a), NSPS Subpart Cb**

**Replaces Condition(s) 28**

**Item 2-41.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00MWC

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00NOX

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00SDA

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: SHICK

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 001BH

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01MWC

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01NOX

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01SDA

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 1SHIC

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 2-41.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:



Carbon monoxide emission limit for mass burn waterwall municipal waste combustor.

Parameter Monitored: CARBON MONOXIDE  
Upper Permit Limit: 100 parts per million by volume  
(dry, corrected to 7% O<sub>2</sub>)  
Reference Test Method: 40 CFR 60 App B & F  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 4-HOUR BLOCK (ARITHMETIC AVERAGE)  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 10/30/2008.  
Subsequent reports are due every 3 calendar month(s).

**Condition 2-42: Compliance Certification**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.34b(b), NSPS Subpart Cb**

**Item 2-42.1:**

The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC



**Item 2-42.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

An affected municipal waste combustor unit may not be operated at a steam load level exceeding 110 percent of the maximum demonstrated municipal waste combustor unit load (highest 4-hour block arithmetic average unit steam load, measured in pounds per hour) reached during the most recent performance test where compliance with the dioxin/furan emission limit was demonstrated) except as follows:

(1) During the annual dioxin/furan or mercury performance test and the 2 weeks preceding the annual dioxin/furan or mercury performance test, no municipal waste combustor unit load limit is applicable.

(2) The municipal waste combustor unit load limit may be waived in writing by the Department for the purpose of evaluating system performance, testing new technology or control technologies, diagnostic testing, or related activities for the purpose of improving municipal waste combustor performance or advancing the state-of-the-art for controlling municipal waste combustor emissions. The municipal waste combustor unit load limit continues to apply, and remains enforceable, until and unless the Department grants the waiver.

Parameter Monitored: STEAM OUTPUT

Upper Permit Limit: 110 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 4-HOUR BLOCK (ARITHMETIC AVERAGE)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-43: Compliance Certification**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.34b(b), NSPS Subpart Cb**

**Replaces Condition(s) 29**

**Item 2-43.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH



Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

**Item 2-43.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Each affected MWC unit will be required to operate at a temperature not to exceed 17 degrees Centigrade above the maximum demonstrated particulate matter control device temperature, as measured at the particulate matter control device inlet, during four consecutive hours (4-hour block arithmetic average) determined at the most recent dioxin/furan performance test demonstrating compliance with the applicable dioxin/furan limit, except as follows:

(1) During the annual dioxin/furan or mercury performance test and the 2 weeks preceding the annual dioxin/furan or mercury performance test, no particulate matter control device temperature limitations are applicable.

(2) The particulate matter control device temperature limits may be waived in writing by the Department for the purpose of evaluating system performance, testing new technology or control technologies, diagnostic testing, or related activities for the purpose of improving municipal



waste combustor performance or advancing the state-of-the-art for controlling municipal waste combustor emissions. The temperature limits continue to apply, and remain enforceable, until and unless the Department grants the waiver.

Parameter Monitored: TEMPERATURE ABOVE CONTROL DEVICE TEMPERATURE

Upper Permit Limit: 17 degrees Centigrade (or Celsius)

Monitoring Frequency: CONTINUOUS

Averaging Method: 4-HOUR BLOCK (ARITHMETIC AVERAGE)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 6 calendar month(s).

**Condition 2-44: Operating Manual**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.35b, NSPS Subpart Cb**

**Replaces Condition(s) 30**

**Item 2-44.1:**

This Condition applies to:

Emission Unit: 1MBMWC      Emission Point: 00003  
Process: 1MW                  Emission Source: 000BH

Emission Unit: 1MBMWC      Emission Point: 00003  
Process: 1MW                  Emission Source: 00NOX

Emission Unit: 1MBMWC      Emission Point: 00003  
Process: 1MW                  Emission Source: 00SDA

Emission Unit: 1MBMWC      Emission Point: 00003  
Process: 1MW                  Emission Source: SHICK

Emission Unit: 2MBMWC      Emission Point: 00004  
Process: 2MW                  Emission Source: 001BH

Emission Unit: 2MBMWC      Emission Point: 00004  
Process: 2MW                  Emission Source: 01MWC

Emission Unit: 2MBMWC      Emission Point: 00004  
Process: 2MW                  Emission Source: 01NOX

Emission Unit: 2MBMWC      Emission Point: 00004  
Process: 2MW                  Emission Source: 01SDA

Emission Unit: 2MBMWC      Emission Point: 00004  
Process: 2MW                  Emission Source: 1SHIC

**Item 2-44.1:**



This Condition applies to Emission Unit: 1-MBMWC Emission Point: 00003  
Process: 1MW  
00MWC

Emission Source:

**Item 2-44.2.3:**

The Permittee must develop and update on a yearly basis a site-specific operating manual that must, at a minimum, address the elements of municipal waste combustor unit operation specified below. This manual must be found acceptable by the Department.

- (1) A summary of the applicable standards under 40 CFR 60, Subpart Cb;
- (2) A description of basic combustion theory applicable to a municipal waste combustor;
- (3) Procedures for receiving, handling, and feeding municipal solid waste;
- (4) Municipal waste combustor unit startup, shutdown, and malfunction procedures;
- (5) Procedures for maintaining proper combustion air supply levels;
- (6) Procedures for operating the municipal waste combustor unit within the standards established under 40 CFR 60, Subpart Cb;
- (7) Procedures for responding to periodic upset or off-specification conditions;
- (8) Procedures for minimizing particulate matter carryover;
- (9) Procedures for handling ash;
- (10) Procedures for monitoring municipal waste combustor unit emissions; and
- (11) Reporting and recording keeping procedures.

A training program shall be established to review the operating manual according to the schedule below, with each person who has responsibilities affecting the operation of a municipal waste combustor including, but not limited to, chief facility operators, shift supervisors, control room operators, ash handlers, maintenance personnel, and crane/load handlers. Training shall be completed as follows:

- (1) Initial training shall be completed by the date prior to the day when the person assumes responsibilities affecting municipal waste combustor unit operation, and
- (2) Annually, following the initial training.

The operating manual must be kept in a readily accessible location for all persons required to undergo training. The operating manual and records of training must be available for inspection by the Department upon request.

**Condition 2-45: Operator Training**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement: 40CFR 60.35b, NSPS Subpart Cb**

**Replaces Condition(s) 32**

**Item 2-45.1:**

This Condition applies to:

Emission Unit: 1MBMWC Emission Point: 00003  
Process: 1MW Emission Source: 000BH





Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

**Item 2-46.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If both the certified chief facility operator and certified shift supervisor are unavailable, a provisionally certified control room operator on site at the municipal waste combustion unit may fulfill the certified operator requirement. Depending on the length of time that a certified chief facility operator and certified shift supervisor are away, the owner or operator of the affected facility must meet one of three criteria:

(1) When the certified chief facility operator and certified shift supervisor are both off site for 12 hours or less, and no other certified operator is on site, the provisionally certified control room operator may perform the duties of the certified chief facility operator or certified shift supervisor.

(2) When the certified chief facility operator and certified shift supervisor are off site for more than 12 hours, but for two weeks or less, and no other certified



operator is on site, the provisionally certified control room operator may perform the duties of the certified chief facility operator or certified shift supervisor without notice to, or approval by, the Department. However, the owner or operator of the affected facility must record the period when the certified chief facility operator and certified shift supervisor are off site and include that information in the annual report as specified under §60.59b(g)(5).

(3) When the certified chief facility operator and certified shift supervisor are off site for more than two weeks, and no other certified operator is on site, the provisionally certified control room operator may perform the duties of the certified chief facility operator or certified shift supervisor without approval by the Department. However, the owner or operator of the affected facility must take two actions:

(a) Notify the Department in writing. In the notice, state what caused the absence and what actions are being taken by the owner or operator of the facility to ensure that a certified chief facility operator or certified shift supervisor is on site as expeditiously as practicable.

(b) Submit a status report and corrective action summary to the Department every four weeks following the initial notification. If the Department provides notice that the status report or corrective action summary is disapproved, the municipal waste combustion unit may continue operation for 90 days, but then must cease operation. If corrective actions are taken in the 90-day period such that the Department withdraws the disapproval, municipal waste combustion unit operation may continue.

A provisionally certified operator who is newly promoted or recently transferred to a shift supervisor position or a chief facility operator position at the municipal waste combustion unit may perform the duties of the certified chief facility operator or certified shift supervisor without notice to, or approval by, the Department for up to six months before taking the ASME QRO certification exam.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 2-47: Compliance and performance testing.**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable Federal Requirement:40CFR 60.38b, NSPS Subpart Cb**





**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

**This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability**

**Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.**

**Condition 43: Contaminant List  
Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable State Requirement:ECL 19-0301**

**Item 43.1:**

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 001746-01-6

Name: 2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN

CAS No: 007440-43-9



Name: CADMIUM

CAS No: 000630-08-0  
Name: CARBON MONOXIDE

CAS No: 007647-01-0  
Name: HYDROGEN CHLORIDE

CAS No: 007439-92-1  
Name: LEAD

CAS No: 007439-97-6  
Name: MERCURY

CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0  
Name: PARTICULATES

CAS No: 007446-09-5  
Name: SULFUR DIOXIDE

**Condition 44: Unavoidable noncompliance and violations  
Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable State Requirement: 6NYCRR 201-1.4**

**Item 44.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's



representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 45: Air pollution prohibited  
Effective between the dates of 03/23/2004 and 03/22/2009**

**Applicable State Requirement:6NYCRR 211.2**

**Item 45.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**Condition 2-48: Compliance Demonstration  
Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable State Requirement:6NYCRR 617.11(d)**

**Item 2-48.1:**

The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00MWC

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00NOX



Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 00SDA

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: SHICK

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 001BH

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01MWC

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01NOX

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01SDA

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 1SHIC

**Item 2-48.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

NYSDEC Permit No. 1-4720-00777/00002-0, Special Condition No. 13:

Emissions test data, from emissions tests conducted by the Applicant's Consultant in January of 1989, and submitted to and accepted by this Department, shall be used as part of the data base from which future emission standards or limits will be established when future revised regulations require said emission standards or limits.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 2-49: Compliance Demonstration**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable State Requirement:6NYCRR 617.11(d)**

**Item 2-49.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 1-MBMWC  
Process: 1MW

Emission Point: 00003  
Emission Source: 000BH



Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC

**Item 2-49.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

**ADDITIONAL STACK TESTING REQUIREMENTS**

Stack testing must be conducted for the following contaminants (all concentration corrected to 7% O2):

- Polychlorinated dibenzo-p-dioxins (ng/dscm)\*
- Polychlorinated dibenzo-p-furans (ng/dscm)\*
- Polycyclic Aromatic Hydrocarbon (ng/dscm)\*\*
- Polychlorinated Biphenyls (ng/dscm)\*\*
- Heavy Metals (in pounds per hour) \*\*\*

- Arsenic
- Beryllium
- Cadmium
- Chromium
- Lead
- Mercury
- Nickel

The above list of contaminants may be changed as deemed necessary by the Commissioner of DEC. The permittee shall also comply with the testing requirements of 40CFR60, Subpart Cb.

\* Testing of congeners of these contaminants is required, as specified by DEC. Such testing will only be required at



one of the two incinerator sources at the facility each year.

\*\* Testing of PAH and PCB will follow the testing schedule as specified in 40CFR60.58b(g)(5)(iii).

\*\*\* Testing of metals (except Cadmium, Lead and Mercury) can be performed for one boiler flue and shall alternate between units for each scheduled testing. Testing of Cadmium, Lead and Mercury shall be performed in accordance with 40CFR60, Subpart Cb requirements.

Witnessing of any portion of stack tests, at the discretion of DEC staff, is required. DEC will not accept the results of any stack tests done in the absence of an approved protocol, or which are not properly witnessed. A report presenting the results of stack testing shall be submitted by the permittee to DEC in accordance with 6NYCRR Part 202.

Reference Test Method: Based on Approved Protocol  
Monitoring Frequency: ANNUALLY  
Averaging Method: ARITHMETIC MEAN  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**\*\*\*\* Emission Unit Level \*\*\*\***

**Condition 2-50: Compliance Demonstration**  
**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable State Requirement:6NYCRR 219-7.2**

**Item 2-50.1:**

The Compliance Demonstration activity will be performed for the facility:  
The Compliance Demonstration applies to:

Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH



Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01MWC

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01NOX

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 01SDA

Emission Unit: 2-MBMWC  
Process: 2MW

Emission Point: 00004  
Emission Source: 1SHIC

Regulated Contaminant(s):

CAS No: 007439-97-6      MERCURY

**Item 2-50.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Mercury emission limit. The Permittee shall meet the less stringent of this limit (concentration), or the 85 percent reduction by weight Mercury emission limit cited in this permit under 6 NYCRR 219-7.2. Annual stack testing for Mercury shall follow the procedures contained in 40 CFR 60.58b(d)(2). Emission control devices must be kept in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such devices effectively.

Parameter Monitored: MERCURY

Upper Permit Limit: 28 micrograms per dry standard cubic meter (corrected to 7% oxygen)

Reference Test Method: EPA Ref. Method 29

Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 12 calendar month(s).

**Condition 2-51: Compliance Demonstration**

**Effective between the dates of 08/26/2008 and 03/22/2009**

**Applicable State Requirement: 6NYCRR 219-7.2**

**Item 2-51.1:**

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:



Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 000BH
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00MWC
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00NOX
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: 00SDA
Emission Unit: 1-MBMWC Process: 1MW	Emission Point: 00003 Emission Source: SHICK
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 001BH
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01MWC
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01NOX
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 01SDA
Emission Unit: 2-MBMWC Process: 2MW	Emission Point: 00004 Emission Source: 1SHIC
Regulated Contaminant(s): CAS No: 007439-97-6	MERCURY

**Item 2-51.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Mercury emission limit. The Permittee shall meet the less stringent of this limit (percent reduction), or the concentration Mercury emission limit cited in this permit under 6 NYCRR 219-7.2. Annual stack testing for Mercury shall follow the procedures contained in 40 CFR 60.58b(d)(2). Emission control devices must be kept in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such devices effectively.

Parameter Monitored: MERCURY

Lower Permit Limit: 85 percent reduction by weight  
(corrected to 7% O<sub>2</sub>, dry basis)

Reference Test Method: EPA Ref. Method 29

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Monitoring Frequency: ANNUALLY

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

Subsequent reports are due every 12 calendar month(s).

New York State Department of Environmental Conservation

Permit ID: 1-4720-00777/00008

Facility DEC ID: 1472000777

