



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-4728-00141/00014
Effective Date:

Expiration Date:

Permit Issued To: PE - BAYSHORE LLC
1732 WEST GENESEE ST
SYRACUSE, NY 13204

Contact: THOMAS R MURPHY
PE - BAY SHORE LLC
100 CLINTON SQ STE 403
SYRACUSE, NY 13202

Facility: PE - BAYSHORE LLC
55 PARADISE LN
BAY SHORE, NY 11706

Description:

This project involves the renewal of a Title V permit for a cogeneration facility which provides electricity, hot process water, and steam to the nearby Entenmann's Bakery. The facility consists of three 1,370 kilowatt (kW) internal combustion engines (ICEs) capable of firing diesel fuel or a combination of diesel fuel and natural gas. In addition, one 1,375 kW standby ICE firing only diesel fuel is located at the facility. Heat from the three main engines is recovered in the form of hot water from the engine cooling systems and in the form of steam from the associated heat recovery steam generator (HRSG) from each engine. Heat generated in the standby engine is recovered only in the engine cooling system and it does not have an associated HRSG. All four engines predate the applicability date for New Source Performance Standards (NSPS) for compression ignition engines consequently these standards do not apply. However, all four IC engines will be required to meet the current NOx RACT standard for lean burn compression ignition ICEs found in Part 227-2. To comply with these standards, the facility has installed a selective catalytic reduction system and oxidation catalyst for each engine to minimize NOx and CO emissions. As a result of this, the facility potential to emit for both contaminants will fall significantly below the PSD thresholds of 250 tpy negating the need for a PSD cap.

New York State Department of Environmental Conservation
Facility DEC ID: 1472800141



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
- Permit modifications, suspensions or revocations by the Department

Facility Level

- 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 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

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 to the Department for approval.



Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

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 application for permit modification or renewal - REGION 1 HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

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

New York State Department of Environmental Conservation

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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SYRACUSE, NY 13204

Facility: PE - BAYSHORE LLC
55 PARADISE LN
BAY SHORE, NY 11706

Authorized Activity By Standard Industrial Classification Code:
4939 - COMBINATION UTILITY SERVICES

Permit Effective Date:

Permit Expiration Date:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 16 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 17 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 18 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 19 6 NYCRR 202-1.1: Required Emissions Tests
- 20 6 NYCRR 211.3: Visible Emissions Limited
- 21 40 CFR Part 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 6 NYCRR 201-6.5 (g): Non Applicable requirements
- 25 6 NYCRR 225-1.2 (d): Compliance Certification
- 26 6 NYCRR 227-1.3 (a): Compliance Certification

Emission Unit Level

- 27 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 28 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 29 ECL 19-0301: Contaminant List
- 30 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 31 6 NYCRR 211.2: Air pollution prohibited
- 32 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration
- 33 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration
- 34 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration
- 35 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration
- 36 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration
- 37 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration
- 38 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration
- 39 6 NYCRR 227-2.4 (f) (3): Compliance Demonstration





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 - 6 NYCRR 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 - 6 NYCRR 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 6 NYCRR 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 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 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 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 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 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 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 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 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 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 1: Acceptable Ambient Air Quality
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 200.6

Item 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: Fees
Effective for entire length of Permit**

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

Item 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 72-0303.

**Condition 3: Recordkeeping and reporting of compliance monitoring
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 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 for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 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 for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 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.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification



Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 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

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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 1/30/2011.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

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 8: Recordkeeping requirements
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

(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 9: Open Fires - Prohibitions
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 9.2

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by



police or other public safety organization.

(i) Prescribed burns performed according to Part 194 of this Title.

(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.

(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.

(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**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 10: Maintenance of Equipment
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:

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 11: Recycling and Salvage
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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 12: Prohibition of Reintroduction of Collected Contaminants to the air



Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

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 13: Exempt Sources - Proof of Eligibility
Effective for entire length of Permit

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

Item 13.1:

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 14: Trivial Sources - Proof of Eligibility
Effective for entire length of Permit

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

Item 14.1:

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 15: Standard Requirement - Provide Information
Effective for entire length of Permit

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

Item 15.1:

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 16: General Condition - Right to Inspect
Effective for entire length of Permit

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

Item 16.1:

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 17: Standard Requirements - Progress Reports
Effective for entire length of Permit

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

Item 17.1:

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 18: Off Permit Changes
Effective for entire length of Permit

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

Item 18.1:

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 19: Required Emissions Tests
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:

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.

Condition 20: Visible Emissions Limited
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 211.3

Item 20.1:

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 21: Accidental release provisions.
Effective for entire length of Permit

Applicable Federal Requirement:40 CFR Part 68

Item 21.1:

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,

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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 22: Recycling and Emissions Reduction
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:

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 23: Emission Unit Definition
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1:

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

Emission Unit: U-ENG04

Emission Unit Description:

Emission unit consists of one MAN B&W 16v 20/27 internal combustion engine (ICE), rated at 1375 kW, firing no. 2 fuel oil as its only fuel. Heat in this engine is recovered only in the engine cooling systems and this engine does not have an associated heat recovery steam generator. This engine is primarily utilized as a standby engine for the engines in unit UENG13. This engine exhausts through an oxidation catalyst for reducing CO and VOC emissions and selective catalytic reduction to control oxides of nitrogen. The standby engine is located in the main generation building and the exhaust stack for the standby engine is located on top of that building. Two 20,000 gallon no. 2 fuel oil storage tanks provide fuel for the standby engine. This engine is coupled to a generator for producing electricity for Entenmann's Bakery, the facility (in house), and the local electric utility. Heat from this engine is recovered as hot water from the engine's cooling system and provided to



Entenmann's Bakery. In addition, this engine can operate simultaneously with unit UENG13 to provide additional power when necessary.

Building(s): GENBLDG

Item 23.2:

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

Emission Unit: U-ENG13

Emission Unit Description:

Three MAN B&W 18v 20/27 internal combustion engines (ICEs)/heat recovery steam generators (HRSGs) each rated at 1370 kW. These 3 engines fire either diesel fuel or a dual fuel comprised of natural gas and diesel. No duct firing of the HRSGs is performed and each engine exhausts through an oxidation catalyst which reduces the emissions of carbon monoxide (CO) and volatile organic compounds (VOC) and selective catalytic reduction to control oxides of nitrogen. The three engines are located in the main generation building and the exhaust stacks for each engine are located on top of that building. Two 20,000 gallon no. 2 fuel oil tanks and a natural gas pipeline provide fuel for the three engines. Each engine and associated HRSG produce hot water and steam by indirectly contacting process water. In addition, each engine is coupled to a generator for producing electricity for Entenmann's Bakery, the facility (in-house), and for providing additional generating capacity for the local utility.

Building(s): GENBLDG

**Condition 24: Non Applicable requirements
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 201-6.5 (g)

Item 24.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

6 NYCRR Subpart 231-1

Reason: Permits to construct were issued on 12/14/90 to 4 internal combustion engines (ICEs) initially identified as IDs 00001, 00002, 00003, and 00004. The IDs for these 4 engines were subsequently changed to 00010, 00011, 00012, and 00013 on 4/11/95 when the certificates to operate were issued. The IDs were changed again MAIN2, MAIN3, MAIN4 and MAIN5 when the initial Title V permit was issued. With this permit renewal, the ID numbers will be changed once again to align processes and emission sources. The



engines will now be changed to the current designated ID numbers ENG01, ENG02, ENG03 and ENG04. Although the ID numbers were altered over the years, the engines for which the original permits to construct were issued back in 1990 have remained the same. Because construction of these emission sources began prior to 11/15/1992, specific applicability to 6 NYCRR Part 231-1 only was evaluated. Although this facility is a major source of NO_x, the contaminant was not considered as a precursor to ozone under this rule (this wasn't established until the Clean Air Act Amendments of 1990 became law and the redesignation of NO_x as a nonattainment contaminant was subsequently incorporated into 6 NYCRR Part 231-2 which became effective 11/15/1992). Consequently, only compliance with the NO_x ambient air quality standard is required and not ozone. Since the New York Metropolitan Area (NYMA) is in attainment with the NO_x ambient air quality standard, and the facility is not a major source of VOC (the other precursor to ozone), Part 231-1 is not considered applicable to this facility.

40 CFR 52.21

Reason: This facility is required to meet the NO_x RACT limit specified for compression ignition stationary internal combustion engines (ICEs) under 6 NYCRR Part 227-2.4(f)(2)(ii)(b). As a result, the total facility NO_x potential to emit assuming continuous operation will be about 163 tpy which is significantly less than the PSD threshold of 250 tpy. Compliance with this requirement alone will preclude PSD applicability and a voluntary cap will be unnecessary. Evaluation of potential emissions of carbon monoxide (CO) indicate emissions are about 80 tpy, which again is significantly less than the 250 tpy PSD threshold. With the addition of an oxidation catalyst, emissions of CO will be reduced even further, obviating any PSD applicability for this contaminant as well.

Condition 25: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 225-1.2 (d)

Item 25.1:

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:



The owner and/or operator is prohibited from selling, offering for sale, purchasing or using any distillate oil which contains sulfur in a quantity exceeding 1.0% by weight. Compliance may be determined either by direct sampling or supporting documentation provided by the fuel oil supplier for each delivery. Records of the sulfur content of each delivery must be maintained at the facility for a period of at least five years. These records must be available to the Department upon request during normal business hours. Sulfur-in-fuel records must also be included in the semiannual compliance and deviation reports.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.0 percent
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 26: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 227-1.3 (a)

Item 26.1:

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

Emission Unit: U-ENG04	Emission Point: 00005
Emission Unit: U-ENG13	Emission Point: 00002
Emission Unit: U-ENG13	Emission Point: 00003
Emission Unit: U-ENG13	Emission Point: 00004

Item 26.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the



performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the Method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up Method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

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

**Condition 27: Emission Point Definition By Emission Unit
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 27.1:

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

Emission Unit: U-ENG04

New York State Department of Environmental Conservation

Permit ID: 1-4728-00141/00014

Facility DEC ID: 1472800141



Emission Point: 00005
Height (ft.): 40 Diameter (in.): 22
NYTMN (km.): 4514.323 NYTME (km.): 646.433 Building: GENBLDG

Item 27.2:

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

Emission Unit: U-ENG13

Emission Point: 00002
Height (ft.): 40 Diameter (in.): 22
NYTMN (km.): 4514.323 NYTME (km.): 646.433 Building: GENBLDG

Emission Point: 00003
Height (ft.): 40 Diameter (in.): 22
NYTMN (km.): 4514.323 NYTME (km.): 646.433 Building: GENBLDG

Emission Point: 00004
Height (ft.): 40 Diameter (in.): 22
NYTMN (km.): 4514.323 NYTME (km.): 646.433 Building: GENBLDG

**Condition 28: Process Definition By Emission Unit
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 28.1:

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

Emission Unit: U-ENG04
Process: 012 Source Classification Code: 2-02-004-01
Process Description:
Process consists of diesel fuel oil combustion in the
standby internal combustion engine rated at 1375 kW. The
sulfur content in the fuel does not exceed 1.0% by
weight.

Emission Source/Control: ENG04 - Combustion
Design Capacity: 1,375 kilowatts

Emission Source/Control: CATX4 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR04 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 28.2:

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

Emission Unit: U-ENG13
Process: 1DF Source Classification Code: 2-02-004-03
Process Description:

New York State Department of Environmental Conservation

Permit ID: 1-4728-00141/00014

Facility DEC ID: 1472800141



Internal combustion engine rated at 1370 kW fires a dual fuel mixture consisting of approximately 90% natural gas and 10% diesel fuel as part of a cogeneration plant.

Emission Source/Control: ENG01 - Combustion
Design Capacity: 1,370 kilowatts

Emission Source/Control: CAT01 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR01 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 28.3:

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

Emission Unit: U-ENG13
Process: 1FO Source Classification Code: 2-02-001-04
Process Description:
Internal combustion engine, rated at 1370 kW, fires diesel fuel, exclusively, as part of a cogeneration plant.

Emission Source/Control: ENG01 - Combustion
Design Capacity: 1,370 kilowatts

Emission Source/Control: CAT01 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR01 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 28.4:

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

Emission Unit: U-ENG13
Process: 2DF Source Classification Code: 2-02-004-03
Process Description:
Internal combustion engine rated at 1370 kW fires a dual fuel mixture consisting of approximately 90% natural gas and 10% diesel fuel as part of a cogeneration plant.

Emission Source/Control: ENG02 - Combustion
Design Capacity: 1,370 kilowatts

Emission Source/Control: CAT02 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR02 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 28.5:



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

Emission Unit: U-ENG13
Process: 2FO Source Classification Code: 2-02-001-04
Process Description:
Internal combustion engine, rated at 1370 kW fires diesel fuel, exclusively, as part of a cogeneration plant.

Emission Source/Control: ENG02 - Combustion
Design Capacity: 1,370 kilowatts

Emission Source/Control: CAT02 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR02 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 28.6:

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

Emission Unit: U-ENG13
Process: 3DF Source Classification Code: 2-02-004-03
Process Description:
Internal combustion engine rated at 1370 kW fires a dual fuel mixture consisting of approximately 90% natural gas and 10% diesel fuel as part of a cogeneration plant.

Emission Source/Control: ENG03 - Combustion
Design Capacity: 1,370 kilowatts

Emission Source/Control: CAT03 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR03 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 28.7:

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

Emission Unit: U-ENG13
Process: 3FO Source Classification Code: 2-02-001-04
Process Description:
Internal combustion engine, rated at 1370 kW fires diesel fuel, exclusively, as part of a cogeneration plant.

Emission Source/Control: ENG03 - Combustion
Design Capacity: 1,370 kilowatts

Emission Source/Control: CAT03 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR03 - Control



Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)



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 29: Contaminant List
Effective for entire length of Permit

Applicable State Requirement:ECL 19-0301

Item 29.1:

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

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



**Condition 30: Unavoidable noncompliance and violations
Effective for entire length of Permit**

Applicable State Requirement: 6 NYCRR 201-1.4

Item 30.1:

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 31: Air pollution prohibited
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 211.2

Item 31.1:

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 32: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 227-2.4 (f) (3)

Item 32.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 32.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The outlet temperature to the SCR catalyst must not exceed a temperature of 1100 degrees F per each engine at the facility to ensure proper performance of the catalyst bed. This temperature shall be monitored and recorded on continuous basis.

Parameter Monitored: TEMPERATURE

Upper Permit Limit: 1100 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 33: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 227-2.4 (f) (3)

Item 33.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 33.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The inlet temperature to the SCR catalyst must be at or above 700 degrees F per each MAN Model #18V 20/27 engine (emission source IDs MAIN2, MAIN3 and MAIN4) firing a dual fuel mixture of natural gas and diesel oil to ensure proper performance of the catalyst bed. This temperature shall be monitored and recorded on continuous basis.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 700 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED
VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 34: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 227-2.4 (f) (3)

Item 34.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 34.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The inlet temperature to the SCR catalyst must be at or above 600 degrees F per MAN Model #18V 20/27 engine (emission source ID MAIN5) firing diesel fuel exclusively and must not exceed a temperature of 800 degrees F to ensure proper performance of the catalyst bed. This temperature shall be monitored and recorded on continuous basis.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 600 degrees Fahrenheit

Upper Permit Limit: 800 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED
RANGE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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

Condition 35: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 227-2.4 (f) (3)

Item 35.1:

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

Emission Unit: U-ENG04

Emission Unit: U-ENG13

Regulated Contaminant(s):

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

Item 35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

An initial stack test is to be conducted on any one of the three dual fired internal combustion engines (ICEs) (identified as ENG01, ENG02, or ENG03) within 180 days of the effective date of this permit in accordance with a test protocol approved by the department and following the applicable emission test requirements specified in 6 NYCRR Part 227-2.6(c). The test will be used to determine compliance with the NO_x RACT emission standard of 2.3 grams per brake horsepower for a compression ignition stationary ICE firing a dual fuel mixture consisting of #2 fuel oil and natural gas. The stack test will also establish a maximum permissible injection rate for the 19% aqueous ammonia solution used in the selective catalytic reduction (SCR) NO_x emission control system. This injection rate data will be used to develop a periodic monitoring condition to be added to the permit as per a permit modification. The initial stack test required by this condition will be in addition to the periodic (once per permit term) stack test requirement found elsewhere in this permit.

Upper Permit Limit: 2.3 grams per brake horsepower-hour

Reference Test Method: Method 7, 7E or 19

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 36: Compliance Demonstration



Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 227-2.4 (f) (3)

Item 36.1:

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

Emission Unit: U-ENG04

Emission Unit: U-ENG13

Regulated Contaminant(s):

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

Item 36.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

An initial stack test is to be conducted for the standby internal combustion engine (ICEs) identified as ENG04, within 180 days of the effective date of this permit in accordance with a test protocol approved by the department and following the applicable emission test requirements specified in 6 NYCRR Part 227-2.6(c) . The test will be used to determine compliance with the NO_x RACT emission standard of 2.3 grams per brake horsepower for a compression ignition stationary ICE firing #2 fuel oil exclusively. The stack test will also establish a maximum permissible injection rate for the 19% aqueous ammonia solution used in the selective catalytic reduction (SCR) NO_x emission control system. This injection rate data will be used to develop a periodic monitoring condition to be added to the permit as per a permit modification. The initial stack test required by this condition will be in addition to the periodic (once per permit term) stack test requirement found elsewhere in this permit.

Upper Permit Limit: 2.3 grams per brake horsepower-hour

Reference Test Method: Method 7, 7E or 19

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 37: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 227-2.4 (f) (3)

Item 37.1:

New York State Department of Environmental Conservation

Permit ID: 1-4728-00141/00014

Facility DEC ID: 1472800141



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

Emission Unit: U-ENG04

Emission Unit: U-ENG13

Regulated Contaminant(s):

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

Item 37.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A stack test must be conducted on the standby internal combustion engines (ICEs) identified as ENG04, at least once per permit term but no later than 6 months prior to the expiration date of this permit in accordance with a test protocol approved by the department and following the applicable emission test requirements specified in 6 NYCRR Part 227-2.6(c) .. The test will determine compliance with the NOx RACT emission standard of 2.3 grams per brake horsepower for a compression ignition stationary ICE firing #2 fuel oil, exclusively.

Upper Permit Limit: 2.3 grams per brake horsepower-hour

Reference Test Method: Method 7, 7E or 19

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 38: Compliance Demonstration
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 227-2.4 (f) (3)

Item 38.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 38.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The selective catalytic reduction system will be operated according to the following procedures and interlocks:
To start the 19% aqueous ammonia (NH3) flow, the following permissive have to be met.

New York State Department of Environmental Conservation

Permit ID: 1-4728-00141/00014

Facility DEC ID: 1472800141



1. Respective MAN Engine # 1, #2, #3 or #4 is running.
2. Catalyst inlet temperature must be above 600 F for Engines #1, 2 and 3 and 700 F for Engine #4.
3. Catalyst inlet temperature must be less than 1100 F for Engines #1, 2 and 3 and 800 F for Engine #4.
4. Catalyst outlet temperature must be less than 1100 F for Engines #1, 2 and 3 and 800 F for Engine #4.
5. Catalyst inlet thermocouple is OK.
6. Catalyst outlet thermocouple is OK.
7. Compressed Air Press low is OK.
8. NH3 pres Hi is OK.
9. NH3 press Low OK
10. Compressed Air press Low OK
11. Respective E-Stop not engaged.
12. SLC is OK.
13. Tank Level Low OK.
14. Tank Level Hi OK
15. Pump #1 or Pump #2 Running OK
16. NH3 Flow not Low *(15 min time delay)
*After 15 minute time delay, SCR system will provide an engine shutdown signal to the engine control panel.

NH3 flow to SCR system will be [ON], when all of the above interlocks (1 to 16) are satisfied (in [Auto] mode). The SLC will monitor engine load and provide a 4-20mA linear output to the control valve. The control output of 4-2mA will open the NH3 flow control valve to maintain a 2 gm/bhp concentration in the stack exhaust. If SCR system indicates any of the above interlocks (1 to 16), the ammonia system must be shutdown.

The owner/operator shall maintain a log of any deviations from the above procedures. A summary report of these operational deviations, if any, shall be provided with the semiannual compliance report required under the Title V permitting program.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 39: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 227-2.4 (f) (3)

New York State Department of Environmental Conservation

Permit ID: 1-4728-00141/00014

Facility DEC ID: 1472800141



Item 39.1:

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

Emission Unit: U-ENG04

Emission Unit: U-ENG13

Regulated Contaminant(s):

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

Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

A stack test must be conducted on any one of the three dual fired internal combustion engines (ICEs) (identified as ENG01, ENG02, or ENG03) at least once per permit term but no later than 6 months prior to the expiration date of this permit in accordance with a test protocol approved by the department and following the applicable emission test requirements specified in 6 NYCRR Part 227-2.6(c). The test will determine compliance with the NO_x RACT emission standard of 2.3 grams per brake horsepower for a compression ignition stationary ICE firing a dual fuel mixture consisting of #2 fuel oil and natural gas.

Upper Permit Limit: 2.3 grams per brake horsepower-hour

Reference Test Method: Method 7, 7E or 19

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

