PERMIT Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 1-4728-00245/00013

Mod 0 Effective Date: 08/22/2013 Expiration Date: 08/21/2023

Mod 1 Effective Date: 11/02/2015 Expiration Date: 08/21/2023

Permit Issued To:NYS OFFICE OF MENTAL HEALTH

44 HOLLAND AVE ALBANY, NY 12229

Contact: A SCOTT BARD

CDPC CAPITAL OPERATIONS 75 NEW SCOTLAND AVE ALBANY, NY 12208 (518) 549-5165

Facility: NYS PILGRIM PSYCHIATRIC CENTER

998 CROOKED HILL RD

WEST BRENTWOOD, NY 11717

Contact: HARRY HUNSUCKER

NYS PILGRIM PSYCHIATRIC CENTER

998 CROOKED HILL RD WEST BRENTWOOD, NY 11717

Description:

This modification application is submitted to request authorization to enroll up to four (4) of the facility's fifteen (15) emergency, diesel-powered generators in a demand-response program.

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: GEORGE W HAMMARTH

NYSDEC - REGION 1 SUNY @ STONY BROOK

50 CIRCLE RD

STONY BROOK, NY 11790-3409

Authorized Signature: _____ Date: ___/ ___/

DEC Permit Conditions Mod 1/FINAL



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 **** 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 prior to actual transfer of ownership.

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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 exercise all available authority 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



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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY

PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:NYS OFFICE OF MENTAL HEALTH 44 HOLLAND AVE ALBANY, NY 12229

Facility: NYS PILGRIM PSYCHIATRIC CENTER

998 CROOKED HILL RD

WEST BRENTWOOD, NY 11717

Authorized Activity By Standard Industrial Classification Code:

8063 - PSYCHIATRIC HOSPITALS

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LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS Facility Level

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- *2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 3 6 NYCRR 211.1: Air pollution prohibited
- 1-1 6 NYCRR 225-1.2 (g): Compliance Demonstration
- 1-2 6 NYCRR 225-1.2 (h): Compliance Demonstration
- 4 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 5 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 6 40CFR 60.9, NSPS Subpart A: Availability of information.
- 7 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 8 40CFR 60.12, NSPS Subpart A: Circumvention.
- 9 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 10 40CFR 60.14, NSPS Subpart A: Modifications.
- 11 40CFR 60.15, NSPS Subpart A: Reconstruction
- 12 40CFR 60, NSPS Subpart IIII: Applicability
- 1-3 40CFR 60, NSPS Subpart IIII: Compliance and Enforcement
- 13 40CFR 63, Subpart JJJJJJ: Applicability
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Emission Unit Level

1-5 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=U-00002

- 1-6 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 1-7 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration

EU=U-00002,Proc=NB1

- 15 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration
- 16 40CFR 60.44c(h), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.

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- 19 ECL 19-0301: Contaminant List
- 20 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 21 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 22 6 NYCRR Subpart 201-5: Emission Unit Definition
- 1-8 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 1-9 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 23 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level

- 24 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 25 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



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FEDERALLY ENFORCEABLE CONDITIONS **** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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.

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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,



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required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: 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.



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

Item F: Recycling and Salvage - 6 NYCRR 201-1.7

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 6 NYCRR.

Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8

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.

Item H: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)

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 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR 201-3.3 (a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. 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 6 NYCRR Subpart 201-3, 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 J: Required Emission Tests - 6 NYCRR 202-1.1

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An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

Item K: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

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.

FEDERAL APPLICABLE REQUIREMENTS The following conditions are federally enforceable.

Condition 1: Facility Permissible Emissions



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Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 1.1:

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 1) PTE: 45,000 pounds

per year

Name: OXIDES OF NITROGEN

Condition 2: Capping Monitoring Condition

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 2.1:

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:

6 NYCRR Subpart 201-6

Item 2.2:

Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2.3:

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 2.4:

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 2.5:

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 2.6:



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The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility will cap annual NOx emissions at 22.5 tons.

The facility will maintain a record of the quantity of fuels fired (distillate and natural gas) and will calculate rolling annual NOx emissions monthly.

NOx emissions will be calculated using the latest published AP-42 Emission Factors.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 22.5 tons per year Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2014.

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

Condition 3: Air pollution prohibited

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 6 NYCRR 211.1

Item 3.1:

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 1-1: Compliance Demonstration

Effective between the dates of 11/02/2015 and 08/21/2023

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

Item 1-1.1:

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The Compliance Demonstration activity will be performed for the Facility.

Item 1-1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT Upper Permit Limit: 0.0015 percent by weight Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-2: Compliance Demonstration

Effective between the dates of 11/02/2015 and 08/21/2023

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

Item 1-2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with

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this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT Upper Permit Limit: 0.0015 percent by weight Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 4: EPA Region 2 address.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 4.1:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance USEPA Region 2 290 Broadway, 21st Floor New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

Condition 5: Recordkeeping requirements.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.7(b), NSPS Subpart A

Item 5.1:



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Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 6: Availability of information.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 6.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 7: Opacity standard compliance testing.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A

Item 7.1:

The following conditions shall be used to determine compliance with the opacity standards:

- 1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);
- 2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and
 - 3) all other applicable conditions cited in section 60.11 of this part.

Condition 8: Circumvention.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 8.1:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 9: Monitoring requirements.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A

Item 9.1:

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

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Condition 10: Modifications.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 10.1:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 11: Reconstruction

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 11.1:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 12: Applicability

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60, NSPS Subpart IIII

Item 12.1:

Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

Condition 1-3: Compliance and Enforcement

Effective between the dates of 11/02/2015 and 08/21/2023

Applicable Federal Requirement: 40CFR 60, NSPS Subpart IIII



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Item 1-3.1:

The Department has not accepted delegation of 40 CFR Part 60 Subpart IIII. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 60 Subpart IIII during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

Condition 13: Applicability

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 63, Subpart JJJJJJ

Item 13.1:

Facilities that are area sources of HAP with industrial, commercial, or institutional boilers must comply with applicable portions of 40 CFR 63 JJJJJJ.

Condition 1-4: Compliance and Enforcement

Effective between the dates of 11/02/2015 and 08/21/2023

Applicable Federal Requirement: 40CFR 63, Subpart JJJJJJ

Item 1-4.1:

The Department has not accepted delegation of 40 CFR Part 63 Subpart JJJJJJ. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 63 Subpart JJJJJJ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

**** Emission Unit Level ****

Condition 1-5: Compliance Demonstration

Effective between the dates of 11/02/2015 and 08/21/2023

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

Replaces Condition(s) 14

Item 1-5.1:

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

Emission Unit: U-00002 Emission Point: 20001

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Process: 003

Emission Unit: U-00002 Emission Point: 20002

Process: 003

Emission Unit: U-00002 Emission Point: 20003

Process: 003

Emission Unit: U-00002 Emission Point: 20005

Process: 003

Emission Unit: U-00002 Emission Point: 10001

Process: NB1

Emission Unit: U-00002 Emission Point: 10002

Process: NB1

Emission Unit: U-00002 Emission Point: 10003

Process: NB1

Emission Unit: U-00002 Emission Point: 10004

Process: NB1

Emission Unit: U-00002 Emission Point: 10005

Process: NB1

Item 1-5.2:

Compliance Demonstration 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-six-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



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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 Reference Test Method: EPA Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9) Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2016.

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

Condition 1-6: Compliance Demonstration

Effective between the dates of 11/02/2015 and 08/21/2023

Applicable Federal Requirement:40CFR 60.48c(e)(11), NSPS Subpart Dc

Replaces Condition(s) 17

Item 1-6.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 1-6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO2 emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records as required under §60.48c(d) including the following information.

If fuel supplier certification is used to demonstrate

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compliance, records of fuel supplier certification as described under paragraph §60.48c(f)(1)(2) or (3). In addition to records of fuel supplier certification, the semi-annual report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the period.

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 1/30/2016.

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

Condition 1-7: Compliance Demonstration Effective between the dates of 11/02/2015 and 08/21/2023

Applicable Federal Requirement:40CFR 60.48c(f)(1), NSPS Subpart Dc

Replaces Condition(s) 18

Item 1-7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 1-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES Monitoring Description:

Fuel supplier certification shall include the following information for distillate oil:

- i) The name of the oil supplier, and
- ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.
- iii) The sulfur content or maximum sulfur content of the oil.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

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Reports due 30 days after the reporting period. The initial report is due 1/30/2016. Subsequent reports are due every 6 calendar month(s).

Condition 15: Compliance Demonstration

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement:40CFR 60.42c(d), NSPS Subpart Dc

Item 15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Process: NB1

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC

OPERATIONS

Monitoring Description:

On or after the date on which the initial performance test is completed or required to be completed under section 60.8 of this part, no owner or operator of an affected facility that combusts oil shall combust oil with a sulfur content in excess of 0.5 percent by weight.

Work Practice Type: PARAMETER OF PROCESS MATERIAL Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT Upper Permit Limit: 0.5 percent by weight Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2014.

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

Condition 16: Alternative compliance methods for sulfur dioxide.

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable Federal Requirement: 40CFR 60.44c(h), NSPS Subpart Dc

Item 16.1:

This Condition applies to Emission Unit: U-00002 Process: NB1

Item 16.2:

Facilities demonstrating compliance through vender certification shall follow the

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compliance procedures listed in paragraphs 40 CFR 60-Dc.48c(f)(1), (2), or (3), as applicable.



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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: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

Item B: 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 only enforceable.



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Condition 19: Contaminant List

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable State Requirement: ECL 19-0301

Item 19.1:

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

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Condition 20: Malfunctions and start-up/shutdown activities

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable State Requirement: 6 NYCRR 201-1.4

Item 20.1:

- (a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.
- (b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.
- (c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.
- (d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.



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(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 21: Unavoidable noncompliance and violations Effective between the dates of 08/22/2013 and 08/21/2023

Applicable State Requirement: 6 NYCRR 201-1.4

Item 21.1:

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



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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 22: Emission Unit Definition

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 22.1(From Mod 1):

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

Emission Unit: U-00002 Emission Unit Description:

This emission unit consists of five boilers, in the central heating plant, which produce steam for space heating and four (4) diesel-powered stationary internal combustion engines that are to be enrolled in the ICAP-SCR demand response program.

Building(s): 102

115

116

132

25

Condition 1-8: Renewal deadlines for state facility permits

Effective between the dates of 11/02/2015 and 08/21/2023

Applicable State Requirement: 6 NYCRR 201-5.2 (c)

Item 1-8.1:

The owner or operator of a facility having an issued state facility 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.

Condition 1-9: Compliance Demonstration

Effective between the dates of 11/02/2015 and 08/21/2023

Applicable State Requirement:6 NYCRR 201-5.3 (c)

Item 1-9.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-9.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources NYS Dept. of Environmental Conservation Region 1 SUNY at Stony Brook Building 40

Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Visible Emissions Limited

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable State Requirement: 6 NYCRR 211.2

Item 23.1:

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.

**** Emission Unit Level ****

Condition 24: Emission Point Definition By Emission Unit

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 24.1(From Mod 1):

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

Emission Unit: U-00002

Emission Point: 10001

Height (ft.): 60 Diameter (in.): 24

NYTMN (km.): 4516.798 NYTME (km.): 643.667 Building: 132

Emission Point: 10002

Height (ft.): 60 Diameter (in.): 24

NYTMN (km.): 4516.798 NYTME (km.): 643.667 Building: 132

Emission Point: 10003

Height (ft.): 60 Diameter (in.): 24

NYTMN (km.): 4516.798 NYTME (km.): 643.667 Building: 132

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Permit ID: 1-4728-00245/00013 Facility DEC ID: 1472800245

Emission Point: 10004

Height (ft.): 60 Diameter (in.): 24

NYTMN (km.): 4516.798 NYTME (km.): 643.667 Building: 132

Emission Point: 10005

Height (ft.): 60 Diameter (in.): 24

NYTMN (km.): 4516.798 NYTME (km.): 643.667 Building: 132

Emission Point: 20001

Height (ft.): 42 Diameter (in.): 16

NYTMN (km.): 4517.413 NYTME (km.): 644.708 Building: 25

Emission Point: 20002

Height (ft.): 10 Diameter (in.): 16

NYTMN (km.): 4517.121 NYTME (km.): 644.181 Building: 115

Emission Point: 20003

Height (ft.): 10 Diameter (in.): 16

NYTMN (km.): 4517.253 NYTME (km.): 644.123 Building: 116

Emission Point: 20005

Height (ft.): 14 Diameter (in.): 8

NYTMN (km.): 4517.231 NYTME (km.): 644.186 Building: 102

Condition 25: Process Definition By Emission Unit

Effective between the dates of 08/22/2013 and 08/21/2023

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 25.1(From Mod 1):

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

Emission Unit: U-00002

Process: 003 Source Classification Code: 2-02-004-01

Process Description:

Combustion of ultra-low sulfur distillate oil (diesel) in four large-bore stationary combustion engines when these engines are enrolled in a peak-shaving program. Unless

enrolled, these generators will be operated as

Emergency-only units as described at 6 NYCRR 201-3.2

Emission Source/Control: S2001 - Combustion

Design Capacity: 1,635 kilowatts

Emission Source/Control: S2002 - Combustion

Design Capacity: 1,500 kilowatts

Emission Source/Control: S2003 - Combustion

Design Capacity: 1,500 kilowatts

Emission Source/Control: S2005 - Combustion

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Design Capacity: 505 kilowatts

Item 25.2(From Mod 1):

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

Emission Unit: U-00002

Process: NB1 Source Classification Code: 1-03-005-01

Process Description:

Combustion of No. 2 Distillate Oil having a sulfur

content no greater than 0.0015 wt-% in the central heating

plant boilers for the production of steam for space

heating.

Emission Source/Control: NB001 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB002 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB003 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB004 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB005 - Combustion Design Capacity: 16.7 million Btu per hour

Item 25.3(From Mod 1):

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

Emission Unit: U-00002

Process: NB2 Source Classification Code: 1-03-006-02

Process Description:

The combustion of Natural Gas in the central heating plant boilers for the production of steam for space

heating.

Emission Source/Control: NB001 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB002 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB003 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB004 - Combustion Design Capacity: 29.9 million Btu per hour

Emission Source/Control: NB005 - Combustion Design Capacity: 16.7 million Btu per hour



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