

New York State Department of Environmental Conservation
Facility DEC ID: 2600300038



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6003-00038/00008
Effective Date: 03/04/2002 Expiration Date: 03/03/2007

Permit Issued To: RIVERBAY CORP
2049 BARTOW AVENUE
BRONX, NY 10475-4613

Contact: RIVERBAY CORP
2049 BARTOW AVENUE
BRONX, NY 10475-4613

Facility: RIVERBAY CORP-CO-OP CITY
2049 BARTOW AVENUE
BRONX, NY 10475

Contact: PETER BUNDOCK
RIVERBAY CORPORATION; CO-OP CITY POWER PLANT
98 CO-OP CITY BOULEVARD
BRONX, NY 10475
(718) 320-3108

Description:

PERMIT DESCRIPTION
RIVERBAY CORPORATION CO-OP CITY POWER PLANT
DEC ID # 2600300038/00008

Riverbay Corporation Co-Op City Power Plant, located at 98 Co-Op City Boulevard in Bronx, New York, has been in operation since 1968. Riverbay manages the Co-Op City residential and commercial complex located in the Bronx. The Power Plant operates three No. 6 fuel oil and natural gas fired steam boilers manufactured by the Riley Stoker Corporation and each boiler is equipped with its own stack. This facility also generates electrical power for in-house needs and can serve as emergency power generator for the entire Co-Op complex. The heat in the steam, generated in the boilers, is transferred in heat exchangers to a circulating water network used for space heating and cooling and also, for producing high temperature hot water for its domestic hot water distribution system. The standard industrial classification code (SIC) is 6513 - operators of apartment buildings.

Riverbay Co-Op City is a housing development consisting of more than fifteen thousand (15,000) apartments, three (3) shopping centers and eight (8) garages. The entire complex is heated and cooled by the Power Plant, which generates steam, chilled water and electricity. The facility's major units are three

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(3) Riley Stoker boilers with three (3) separate stacks. Each of the three (3) boilers is rated at approximately 377 MM Btu per hour of heat input. As these are categorized as very boilers under the NOx RACT Rule. These boilers have been retrofied with dual fuel (gas, # 6 fuel oil), low NOx burners designed to meet the NOx emission requirements of 0.25 lb NOx / MMBtu as per 6 NYCRR 227-2.4 (a). Boilers No. 1 and 2 are generating saturated steam at 165 pounds per square inch (psi) and are capable of a continous maximum rating (MCR) up to 335,000 pounds per hour (lb/hr) of steam flow. The third boiler, Boiler No. 3 is equipped with a superheater, operates at a higher pressure of 520 psi and is rated at 305,000 lb/hr MCR. Each boiler is equipped with four oil/gas burners and is capable of burning approximately 20,000 gallons of No. 6 oil per hour. For start-up purposes, No. 2 fuel oil or gas is used until adequate quantities of steam are generated to operate the atomizers with No. 6 fuel oil or gas.

Riverbay Corporation Co-Op City Power Plant operates three (3) dual- fuel Riley Stoker steam boilers which supply steam(all of the heating),cooling (chilled water), hot water needs and electricity for the space heating of fifteen thousand (15,000) apartments, three (3) shopping centers and eight (8) garages. Riverbay serves all of the heating, cooling and hot water needs of its approximately 62,000 residential and commercial tenants. The boiler plant also generates electricity currently used solely for supporting internal facility power needs, from a 7.25 megawatt generator serviced by Boiler No. 4. The steam, chilled water and electricity are produced by three (3) Riley Stoker boilers (emission sources 00001, 00002 & 00003). So, emissions from each boiler are exhausted through its own dedicated stack which are identified as Emission Point 00001 for Boiler 1, Emission Point 00002 for Boiler 2 and Emission Point 00003 for Boiler 3. Each boiler has its own dedicated stack, emission point 00001 for Boiler 1, emission point 00002 for Boiler 2 and emission point 00003 for Boiler 3. All three boilers are capable of firing either residual fuel oil # 6 (Processes 001, 003 & 005) or natural gas (Processes 002, 004 & 006). Natural gas is the primary fuel and number 6 fuel oil is used as a secondary fuel. The three boilers are of equal capacity, a heat input of 377 MM Btu/hr each. All three boilers were constructed in July, 1968 and are identified as Emission Unit U-00001 for Boiler 1, Emission Unit U-00002 for Boiler 2 and Emission Unit U-00003 for Boiler 3. In May of 1995, all three boilers were reactivated to run on both fuel oil # 6 and natural gas and low NOx burners were added to the boilers. The facility operates other sources which are considered exempt from permitting in accordance with 6NYCRR 201-3.2 (c), including three (3) distillate and residual fuel oil storage tanks with storage capacities < 300,000 bbls and four (4) non-contact water cooling towers and water treatment systems for process cooling water.

The Title V Permit Contains a complete listing of the applicable Federal, State and compliance monitoring requirements for the facility, its emission units and emission points. The facility (Power Plant) is subject to the provisions of Title V for sulfur dioxide, 6NYCRR 225-1.2(a), fuel composition and use - sulfur limitations, which restricts the sulfur content of fuel oil utilized throughout the facility to 0.30 % by weight or less and to the recordkeeping of fuel analysis, 6NYCRR 225-1.8. The facility has to comply with 6NYCRR 227-1.2(a)(1), the particulates standard of 0.1 lb/MM Btu for boilers exceeding 250 MM Btu/hr heat capacity, 6NYCRR 227-1.3(a) and 6NYCRR 227-1.4, the 20% opacity using CEM. The facility is also subject to 6NYCRR 227-1.4(a), CEM of carbon dioxide or % of oxygen, 6NYCRR 227-1.4(b), recordkeeping of fuel heating value. In addition, the facility is subject to 6NYCRR 227-2, reasonably available control technology for NOx, 6NYCRR 227-2.4(a), control requirements for very large boilers and 6NYCRR 227-2.6(a)(1), testing, monitoring and reporting requirements for very large boilers. Finally, the facility is subject to 6 NYCRR 227-2.6(b), CEMS requirements and RACT for Oxides of Nitrogen - CEMS monitoring and recordkeeping requirements using CEMS.

The continuous emissions monitoring system (CEMS) installed on all three boilers would document any operational problems dealing with NOx, O2 or CO2 emissions. The CEMS for the Co-Op City Complex



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monitors the concentrations and emission rates for various constituents of interests (NO_x, O₂ & CO₂) in each of the three boilers' exhaust stream. Riverbay's boilers have a potential to emit NO_x in excess of 100 tons/yr. Thus, Riverbay has to comply with the NO_x RACT regulations (6 NYCRR 227-2.4(a)) and guidance for very large boiler (>250 MM Btu/hr) which is a limit of 0.25 pounds of NO_x per million Btu.

The facility (Power Plant) has complied with 40CFR 60-Db.49b, reporting and recordkeeping requirements of the reactivation burning dual-fuel in the boilers by notifying the Department in 1994 in a letter from Ms. Eliza Dolin representing Dewey Ballantine, the attorney for Riverbay dated 4-15-1994 and written to Ms. Laurianne Silberfeld, the attorney for DEC. Federal regulations provide that a "modification" does not include the use of an alternative fuel where the source was capable of accommodating that fuel before 1975 (in the case of PSD) or in 1976 (in the case of nonattainment NSR).

Riverbay's boilers were capable of firing natural gas before 1975. Therefore, Riverbay should not be required to undergo prevention of significant deterioration (PSD) or nonattainment NSR of air quality regulations in connection with this project because the maximum capacity of the boilers to emit regulated pollutants before and after the change will remain the same. The facility must comply with the NO_x RACT, 6NYCRR 227-2.4 (a), having emission limits of oxides of nitrogen of 0.25 lbs/MM Btu using CEMS. Also, 6NYCRR 231-2, the New Source Review is non-applicable to this facility because the facility switched fuels in 1995 from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The facility's total annual emissions of NO_x has declined from 800, 000 lb/yr in 1994 to 330,000 lb/yr in 1999.

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: JOHN F. CRYAN
 ONE HUNTERS POINT PLAZA
 47-40 21ST STREET
 LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other 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, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

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 and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2

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.

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 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.

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 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

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.



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

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

****** Facility Level ******

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 5: Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

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

NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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98 CO-OP CITY BOULEVARD
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Authorized Activity By Standard Industrial Classification Code:



LIST OF CONDITIONS

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Facility Level

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- 3 Sealing
- 4 Acceptable ambient air quality
- 5 Maintenance of equipment
- 6 Unpermitted Emission Sources
- 7 Emergency Defense
- 8 Recycling and Salvage
- 9 Prohibition of Reintroduction of Collected Contaminants to the Air
- 10 Public Access to Recordkeeping
- 11 Public Access to Recordkeeping for Title V facilities
- 12 Proof of Eligibility
- 13 Proof of Eligibility
- 14 Applicable Criteria, Limits, Terms, Conditions and Standards
- 15 Cessation or Reduction of Permitted Activity Not a Defense
- 16 Compliance Requirements
- 17 Federally-Enforceable Requirements
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- 22 Property Rights
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- 24 Right to Inspect
- 25 Severability
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- 28 Compliance Certification
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- 30 Non Applicable requirements
- 31 Required emissions tests
- 32 Compliance Certification
- 33 Recordkeeping requirements
- 34 Visible emissions limited.
- 35 Open Fires Prohibited at Industrial and Commercial Sites
- 36 Compliance Certification
- 37 Compliance Certification
- 38 Compliance Certification
- 39 Compliance Certification
- 40 Compliance Certification



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- 44 Process Definition By Emission Unit
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- 46 Compliance Certification (EU=U-00001,EP=00001)
- 47 Compliance Certification (EU=U-00001,EP=00001)
- 48 Compliance Certification (EU=U-00001,EP=00001)
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- 50 Compliance Certification (EU=U-00001,EP=00001)
- 51 Compliance Certification (EU=U-00001,EP=00001)
- 52 Compliance Certification (EU=U-00001,EP=00001)
- 53 Compliance Certification (EU=U-00001,EP=00001)
- 54 Compliance Certification (EU=U-00001,EP=00001)
- 55 Compliance Certification (EU=U-00001,EP=00001)
- 56 Compliance Certification (EU=U-00001,EP=00001,Proc=001,ES=00001)
- 57 Compliance Certification (EU=U-00001,EP=00001,Proc=001,ES=00001)
- 58 Compliance Certification (EU=U-00001,EP=00001,Proc=001,ES=00001)
- 59 Compliance Certification (EU=U-00001,EP=00001,Proc=001,ES=00001)
- 60 Compliance Certification (EU=U-00001,EP=00001,Proc=002,ES=00001)
- 61 Compliance Certification (EU=U-00002,EP=00002)
- 62 Compliance Certification (EU=U-00002,EP=00002)
- 63 Compliance Certification (EU=U-00002,EP=00002)
- 64 Compliance Certification (EU=U-00002,EP=00002)
- 65 Compliance Certification (EU=U-00002,EP=00002)
- 66 Compliance Certification (EU=U-00002,EP=00002)
- 67 Compliance Certification (EU=U-00002,EP=00002)
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- 70 Compliance Certification (EU=U-00002,EP=00002)
- 71 Compliance Certification (EU=U-00002,EP=00002)
- 72 Compliance Certification (EU=U-00002,EP=00002,Proc=003,ES=00002)
- 73 Compliance Certification (EU=U-00002,EP=00002,Proc=003,ES=00002)
- 74 Compliance Certification (EU=U-00002,EP=00002,Proc=003,ES=00002)
- 75 Compliance Certification (EU=U-00002,EP=00002,Proc=003,ES=00002)
- 76 Compliance Certification (EU=U-00002,EP=00002,Proc=004,ES=00002)
- 77 Compliance Certification (EU=U-00003,EP=00003)
- 78 Compliance Certification (EU=U-00003,EP=00003)
- 79 Compliance Certification (EU=U-00003,EP=00003)
- 80 Compliance Certification (EU=U-00003,EP=00003)
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- 87 Compliance Certification (EU=U-00003,EP=00003)



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- 88 Compliance Certification (EU=U-00003,EP=00003,Proc=005,ES=00003)
- 89 Compliance Certification (EU=U-00003,EP=00003,Proc=005,ES=00003)
- 90 Compliance Certification (EU=U-00003,EP=00003,Proc=005,ES=00003)
- 91 Compliance Certification (EU=U-00003,EP=00003,Proc=005,ES=00003)
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 - 105 Compliance Demonstration
- 6513 - APARTMENT BUILDING OPERATORS

Permit Effective Date: 03/04/2002

Permit Expiration Date: 03/03/2007



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: Sealing - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 200.7

Any person who owns or operates an air contamination

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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.

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

If an existing emission source was subject to the permitting requirements of 6NYCRR 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 - 6NYCRR Part 201-1.5

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the



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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 F: Recycling and Salvage - 6NYCRR Part 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 - 6NYCRR Part 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 : Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR Part 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 : Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 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



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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 : Required Emission Tests - 6 NYCRR Part 202-1.1

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 6NYCRR Part 202-1.

Item : Visible Emissions Limited - 6 NYCRR Part 211.3

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.

Item : Open Fires - 6 NYCRR Part 215

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

Item : 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



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(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 : 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.

Condition 1: Definitions Applicable To This Permit

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 200.1

Item 1.1:

The definitions found in Parts 200 and 201 apply throughout this permit. Specific definitions used in this permit and their meanings include:

1. "Act" refers to the Federal Clean Air Act, 42 U.S.C. Section 7401, et seq., as amended by Public Law 101-549, November 15, 1990.
2. "Administrator" refers to the Administrator of the United States Environmental Protection Agency or designee.
3. "Department" refers to the New York State Department of Environmental Conservation.

Condition 2: False statement

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 200.3

Item 2.1:

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

Condition 3: Sealing

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 200.5

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Item 3.1:

(a) 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 labelling 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.

(b) 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.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 4: Acceptable ambient air quality
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 200.6

Item 4.1:

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 5: Maintenance of equipment
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 200.7

Item 5.1:

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 6: Unpermitted Emission Sources
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 6.1:

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



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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.

Condition 7: Emergency Defense
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 7.1:

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.

Condition 8: Recycling and Salvage
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 8.1:

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air



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contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Condition 9: Prohibition of Reintroduction of Collected Contaminants to the Air

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 9.1:

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 10: Public Access to Recordkeeping

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-1.10(a)

Item 10.1:

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.

Condition 11: Public Access to Recordkeeping for Title V facilities

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 11.1:

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

Condition 12: Proof of Eligibility

Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 12.1:

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 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



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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.

Condition 13: Proof of Eligibility
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 13.1:

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.

Condition 14: Applicable Criteria, Limits, Terms, Conditions and Standards
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 14.1:

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

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 14.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

Condition 15: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 03/04/2002 and 03/03/2007



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Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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.

Condition 16: Compliance Requirements

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

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 the responsible official, consistent with Section 201-6.3 of Part 201.

Item 16.2:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

Item 16.3:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. 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.

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Condition 17: Federally-Enforceable Requirements
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

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.

Condition 18: Fees
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

The permittee shall pay the required fees associated with this permit.

Condition 19: Monitoring, Related Recordkeeping and Reporting Requirements
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 19.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, 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 20: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

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 relieve the permittee from the requirement to comply with any condition contained in this permit.



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The permittee 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. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 21: Permit Shield

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, 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.

Condition 22: Property Rights

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 22.1:

This permit does not convey any property rights of any sort or any exclusive privilege.

Condition 23: Reopening for Cause

Effective between the dates of 03/04/2002 and 03/03/2007



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Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:

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.

Item 23.2:

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.

Item 23.3:

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.

Condition 24: Right to Inspect

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility 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 facilities, equipment (including monitoring and air pollution control

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equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 25: Severability

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 25.1:

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.

Condition 26: Emission Unit Definition

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 26.1:

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

Emission Unit: U-00001

Emission Unit Description:

EMISSION UNIT U00001 IS COMPRISED OF A RILEY STOKER BOILER (MODEL OD-1) AND A STACK (CONSTRUCTED JULY 1968). THE BOILER IS NOW CAPABLE OF FIRING EITHER NATURAL GAS OR NO. 6 FUEL OIL (AS PER CONVERSION, OPERATION W/DUAL FUEL BURNERS COMMENCED IN MAY 1995).

Building(s): PPLANT

Item 26.2:

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

Emission Unit: U-00002

Emission Unit Description:

EMISSION UNIT U00002 IS COMPRISED OF A RILEY STOKER BOILER (MODEL OD-1) AND A DEDICATED STACK (CONSTRUCTED JULY 1968). THE BOILER IS CAPABLE OF FIRING EITHER NATURAL GAS OR NO. 6 FUEL OIL (AS PER CONVERSION, OPERATION W/DUAL FUEL BURNERS COMMENCED MAY 95)

Building(s): PPLANT

Item 26.3:



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

Emission Unit: U-00003

Emission Unit Description:

EMISSION UNIT U00003 IS COMPRISED OF A RILEY STOKER BOILER (MODEL OD-1) AND A DEDICATED STACK (CONSTRUCTED JULY 1968). THE BOILER IS CAPABLE OF FIRING EITHER NATURAL GAS OR NO. 6 FUEL OIL (AS PER CONVERSION, OPERATION W/DUAL FUEL BURNERS COMMENCED MAY 95)

Building(s): PPLANT

Condition 27: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 27.1:

The Compliance Certification activity will be performed for the Facility.

Item 27.2:

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

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the following schedule:

(1) For emissions of a hazardous air pollutant or a toxic 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 any of the above conditions are met, the source must notify the permitting authority by telephone or facsimile based on the timetable listed in paragraphs (1) through (4) of this section. 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 the occurrence. All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) through (4) above. 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.

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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 Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 28: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 28.1:

The Compliance Certification activity will be performed for the Facility.

Item 28.2:

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:

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- 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, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) 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

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The address for the RAPCE is as follows:

Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
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 1/30/03.

Subsequent reports are due on the same day each year

Condition 29: Permit Exclusion Provisions
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 29.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant 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), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 30: Non Applicable requirements
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 30.1:

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.

6NYCRR 231-2.

Emission Unit: U00001

Reason: The New Source Review in Non-attainment areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Year	Oil Consumption (lb/yr)	NOx in Oil (gal/yr)
1990	12,658,953	738,943
1991	13,366,043	780,218
1992	13,732,694	801,621
1993	13,355,925	779,628
1994	13,723,771	



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801,100		
1995	10,007,136	
365,093		
1996	487,114	
17,771		
1997	1,280,611	
46,721		
1998	12,054	
440		
1999	0	
0		
Year	Gas	NOx in
Total NOx		
	Consumption	Gas
	(cu ft/yr)	
(lb/yr)	(lb/yr)	
1990	0	0
738,943		
1991	0	0
780,218		
1992	0	0
801,621		
1993	0	0
779,628		
1994	0	0
801,100		
1995	316,261,250	65,782
430,875		
1996	1,625,167,788	338,035
355,806		
1997	1,428,305,769	297,088
343,809		
1998	1,507,385,096	313,536
313,976		
1999	1,578,477,019	328,323
328,323		

As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

6NYCRR 231-2.
Emission Unit: U00003
Reason: The New Source Review in Non-attainment



areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Year	Oil Consumption (lb/yr)	NOx in Oil (gal/yr)
1990	12,658,953	738,943
1991	13,366,043	780,218
1992	13,732,694	801,621
1993	13,355,925	779,628
1994	13,723,771	801,100
1995	10,007,136	365,093
1996	487,114	17,771
1997	1,280,611	46,721
1998	12,054	440
1999	0	0

Year	Gas Consumption (cu ft/yr)	NOx in Gas (lb/yr)
1995	10,007,136	365,093
1996	487,114	17,771
1997	1,280,611	46,721
1998	12,054	440
1999	0	0



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1990	0	0
738,943		
1991	0	0
780,218		
1992	0	0
801,621		
1993	0	0
779,628		
1994	0	0
801,100		
1995	316,261,250	65,782
430,875		
1996	1,625,167,788	338,035
355,806		
1997	1,428,305,769	297,088
343,809		
1998	1,507,385,096	313,536
313,976		
1999	1,578,477,019	328,323
328,323		

As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

6NYCRR 231-2.

Emission Unit: U00002

Reason: The New Source Review in Non-attainment areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Year	Oil Consumption (lb/yr)	NOx in Oil (gal/yr)
1990	12,658,953	



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738,943

1991 13,366,043
780,218

1992 13,732,694
801,621

1993 13,355,925
779,628

1994 13,723,771
801,100

1995 10,007,136
365,093

1996 487,114
17,771

1997 1,280,611
46,721

1998 12,054
440

1999 0
0

Year	Gas Consumption (cu ft/yr) (lb/yr)	NOx in Gas (lb/yr)
1990	0	0
738,943		
1991	0	0
780,218		
1992	0	0
801,621		
1993	0	0
779,628		
1994	0	0
801,100		
1995	316,261,250	65,782
430,875		
1996	1,625,167,788	338,035
355,806		
1997	1,428,305,769	297,088
343,809		
1998	1,507,385,096	313,536

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313,976
1999 1,578,477,019 328,323
328,323

As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

6NYCRR 231-2.

Reason: The New Source Review in Non-attainment areas, 6NYCRR 231-2 is non-applicable to this facility. The facility switched fuels in 1995, from # 6 fuel oil to natural gas and # 6 fuel oil (reactivation of its dual firing capability). The annual emissions of NOx has declined from 800,000 lb/yr in 1994 to 330,000 lb/yr in 1999. The annual emissions of NOx for the last ten (10) years are as follows:

Year	Oil Consumption (lb/yr)	NOx in Oil (gal/yr)
1990	12,658,953	738,943
1991	13,366,043	780,218
1992	13,732,694	801,621
1993	13,355,925	779,628
1994	13,723,771	801,100
1995	10,007,136	365,093
1996	487,114	17,771
1997	1,280,611	



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46,721	
1998	12,054
440	
1999	0
0	

Year	Gas Consumption (cu ft/yr) (lb/yr)	NOx in Gas (lb/yr)
1990	0	0
738,943		
1991	0	0
780,218		
1992	0	0
801,621		
1993	0	0
779,628		
1994	0	0
801,100		
1995	316,261,250	65,782
430,875		
1996	1,625,167,788	338,035
355,806		
1997	1,428,305,769	297,088
343,809		
1998	1,507,385,096	313,536
313,976		
1999	1,578,477,019	328,323
328,323		

As a result of the declining NOx emissions, the New Source Review 6 NYCRR 231-2 is non-applicable to this facility.

40CFR 52-A.21

Reason: A letter from Ms. Eliza Dolin representing Dewey Ballantine, the attorney for Riverbay Corp Co-Op City was written to Ms. Laurianne Silberfeld, the attorney for DEC was dated and received on 4-15-1994. In the letter, Riverbay notifies DEC of the reactivation of its dual-firing capabilities and therefore Riverbay should not be subject to NSPS, 40 CFR 60 D (Fossil-Fuel Fired Steam Generators) or 40 CFR 60 Db (Industrial-Commercial-Institutional Steam Generating

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Units) because the maximum capacity of the boilers to emit regulated pollutants before and after the change will remain the same. The notification of the change to dual-fuel boilers falls under 40 CFR 60 Db 49b, reporting and recordkeeping requirements. Moreover, Riverbay believes that it can fairly be said that the "affected facility" itself - the boilers - will not be modified so much in connection with reactivation of dual-firing, but instead as a result of DEC's mandated NOx RACT upgrades. Once NOx RACT is installed, Riverbay will be required to meet more stringent limitations than those imposed by the applicable NSPS.

Riverbay's boilers were actually operated in dual-firing mode prior to 1980. Federal regulations for the PSD review and the non-attainment NSR program provides that a "modification" does not include the use of an alternative fuel where the source was capable of accommodating that fuel before 1975 (in the case of PSD) or 1976 (in the case of nonattainment NSR). Riverbay' boilers were capable of firing natural gas before 1975. Therefore, Riverbay should not be required to undergo PSD or non-attainment NSR in connection with this project.

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The facility has submitted the annual total NOx emissions for the last ten (10) years from 1990 to 1999 and it shows that the annual total NOx emissions has been cut in half since the facility switched from residual oil to natural gas and residual oil in 1995 (reactivation of its dual firing capability). Please see the non-applicability of 6 NYCRR 231-2 in this permit.

Therefore, the facility is NOT subject to a prevention of significant deterioration (PSD) of air quality regulations.

Condition 31: Required emissions tests
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 31.1:

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



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specified in 6NYCRR Part 202-1.

Condition 32: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Item 32.2:

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 33: Recordkeeping requirements
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 33.1:

(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 34: Visible emissions limited.
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 211.3

Item 34.1:

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-



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minute period per hour of not more than 57 percent opacity.

**Condition 35: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 03/04/2002 and 03/03/2007**

Applicable Federal Requirement: 6NYCRR 215.

Item 35.1:

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

**Condition 36: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007**

Applicable Federal Requirement: 6NYCRR 225-1.8

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§225-1.8 Reports, sampling and analysis.

(a) The commissioner may require an owner of an air contamination source to retain for up to three years, and to submit to him, fuel analysis, information on the quantity of fuel received, burned or sold, and results of stack sampling, stack monitoring and other procedures to ensure compliance with the provisions of this Subpart.

(b) (1) Any person who sells oil and/or coal must retain, for at least three years, records containing the following information:

(i) fuel analyses and data on the quantities of all oil and coal received; and

(ii) the names of all purchasers, fuel analyses and data on the quantities of all oil and coal sold.

(2) Such analyses must contain, as a minimum:

(i) data on the sulfur content, ash content, specific gravity and heating value of residual oil;

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(ii) data on the sulfur content, specific gravity and heating value of distillate oil; and

(iii) data on the sulfur content, ash content and heating value of coal.

(c) Persons required to maintain and retain records pursuant to subdivision (b) of this section must make such records available for inspection during normal business hours by the commissioner or his representative, and must furnish copies of such records to the commissioner or his representative upon request.

(d) Sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the commissioner.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/02.

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

Condition 37: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Item 37.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS



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Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 38: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 38.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NO_x RACT emission limit. The facility's 30 day rolling average of NO_x emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration -wall > 250 MM Btu/hr) operating on gas/oil during the non-ozone season (October 1st to April 30th). Compliance with this emission limit shall be determined on a 30 day rolling average in accordance with the provisions of section 227-2.6 (a)(1) of this Subpart.

RACT (Reasonably available control technology for major facilities) is defined in 6 NYCRR Part 212 and Regulation 6 NYCRR 201-1.4 (d), Unavoidable noncompliance and violations requires the facilities to use RACT in the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner/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 maintenance, start-up/shutdown or malfunction condition subject to this subdivision.

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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 facility must take appropriate actions, adhere to recordkeeping and reporting requirements in such circumstances to prevent exceeding emissions limit.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.25 pounds per million Btus
Reference Test Method: 40 CFR 75 Appendix A
Monitoring Frequency: CONTINUOUS
Averaging Method: 30-DAY ROLLING AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 39: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NOx RACT emission limit. The facility's 24 hour average of NOx emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration -wall > 250 MM Btu/hr) operating on gas/oil during the ozone season (May 1st to September 30th). Compliance with this emission limit shall be determined on a 24 hour average in accordance with the provisions of section 227-2.6 (a)(1)

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of this Subpart.

The averaging method is the 24 hour daily average (arithmetic mean) of NO_x emissions and it must be calculated as defined in 6 NYCRR 227-2.6(b)(3)(i)(c) as:

The owner/operator of a combustion installation subject to 6 NYCRR 227-2.6(a)(1) and 6 NYCRR 227-2.6(a)(2) shall:

determine the 24-hour daily arithmetic average NO_x emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24 hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 a.m.; or, starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m.

RACT (Reasonably available control technology for major facilities) is defined in 6 NYCRR Part 212 and Regulation 6 NYCRR 201-1.4 (d), Unavoidable noncompliance and violations requires the facilities to use RACT in the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner/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 maintenance, start-up/shutdown or malfunction condition subject to this subdivision.

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 facility must take appropriate actions, adhere to recordkeeping and reporting requirements in such circumstances to prevent exceeding emissions limit.

Work Practice Type: PARAMETER OF PROCESS MATERIAL



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Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.25 pounds per million Btus
Reference Test Method: 40 CFR 75 Appendix A
Monitoring Frequency: CONTINUOUS
Averaging Method: 24-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 40: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(3)(i)

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

For Boilers 00001, 00002 & 00003, the owner and/or operator shall:

(a) calculate all 24-hour daily arithmetic average NO_x emission rates from block hourly arithmetic emission rate averages calculated using data points generated by the CEMS and expressed in terms of pounds of NO_x per million BTU;

(b) demonstrate compliance with the appropriate emission limit by using CEMS for measuring NO_x and calculating a 24-hour daily arithmetic average NO_x emission rate using 40 CFR 60, Appendix A, Method 19. A 30 day rolling average may be used to demonstrate compliance with the appropriate emission limit from October 1 to April 30;

(c) determine the 24-hour daily arithmetic average NO_x emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24 hour daily period from 12:00 a.m. to 12:00 a.m. the

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following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through the last period 11:00 p.m. to 12:00 a.m., or starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m. The 30 day rolling average shall be the average of the 24 hour daily arithmetic NOx emission rates for a 30 day period: and

(d) use at least three data points, collected at 15 minute intervals, to calculate the block hourly arithmetic average emission rates to be used in calculating the 24 hour daily arithmetic average NOx emission rate.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 41: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 40CFR 60.49b, NSPS Subpart Db

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A letter from Ms. Eliza Dolin representing Dewey Ballantine, the attorney for Riverbay Corp Co-Op City was written to Ms. Laurianne Silberfeld, the attorney for DEC was dated and received on 4-15-1994. In the letter, Riverbay notifies DEC of the reactivation of its dual-firing capabilities and therefore Riverbay should not be subject NSPS, 40 CFR 60 D (Fossil-Fuel Fired Steam Generators) or 40 CFR 60 Db (Industrial-Commercial-Institutional Steam Generating Units) because the maximum capacity of the boilers to emit regulated pollutants before and after the change will remain the same. The notification of the change to dual-fuel boilers falls under 40 CFR 60 Db 49b, reporting

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and recordkeeping requirements. Moreover, Riverbay believes that it can fairly be said that the "affected facility" itself - the boilers - will not be modified so much in connection with reactivation of dual-firing, but instead as a result of DEC's mandated NOx RACT upgrades. Once NOx RACT is installed, Riverbay will be required to meet more stringent limitations than those imposed by the applicable NSPS.

Riverbay also believes that reactivation of dual firing will trigger neither PSD review nor nonattainment NSR. Federal regulations for both programs currently provide that a "modification" does not include use of an alternative fuel where the source was capable of accommodating that fuel before 1975 (in the case of PSD) or in 1976 (in the case of nonattainment NSR). Riverbay was capable of firing natural gas before 1975, and remains capable of such to this day. Therefore, Riverbay should not be required to undergo PSD or nonattainment NSR in connection with this project.

The facility has submitted the annual total NOx emissions for the last ten (10) years from 1990 to 1999 and it shows that the annual total NOx emissions has been cut in half since the facility switched from residual oil to natural gas and residual oil in 1995 (reactivation of its dual firing capability). Please see the non-applicability of 6 NYCRR 231-2 in this permit.

Reference Test Method: KEEP RECORDS

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 42: Recycling and Emissions Reduction
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 42.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.



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- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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

**Condition 43: Emission Point Definition By Emission Unit
Effective between the dates of 03/04/2002 and 03/03/2007**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 43.1:

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 138 Diameter (in.): 82
NYTMN (km.): 4525.023 NYTME (km.): 598.833 Building: PPLANT

Item 43.2:

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

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 138 Diameter (in.): 82
NYTMN (km.): 4525.023 NYTME (km.): 598.833 Building: PPLANT

Item 43.3:

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

Emission Unit: U-00003

Emission Point: 00003

Height (ft.): 138 Diameter (in.): 82
NYTMN (km.): 4525.023 NYTME (km.): 598.833 Building: PPLANT

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Condition 44: Process Definition By Emission Unit
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 44.1:

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

Emission Unit: U-00001
Process: 001 Source Classification Code: 1-03-004-01
Process Description: FIRING NO. 6 FUEL OIL IN BOILER 00001.

Emission Source/Control: 00001 - Combustion
Design Capacity: 371 million Btu per hour

Item 44.2:

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

Emission Unit: U-00001
Process: 002 Source Classification Code: 1-03-006-01
Process Description: FIRING NATURAL GAS IN BOILER 00001.

Emission Source/Control: 00001 - Combustion
Design Capacity: 371 million Btu per hour

Item 44.3:

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

Emission Unit: U-00002
Process: 003 Source Classification Code: 1-03-004-01
Process Description: FIRING NO. 6 FUEL OIL IN BOILER 00002.

Emission Source/Control: 00002 - Combustion
Design Capacity: 371 million Btu per hour

Item 44.4:

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

Emission Unit: U-00002
Process: 004 Source Classification Code: 1-03-006-01
Process Description: FIRING NATURAL GAS IN BOILERS 00002.

Emission Source/Control: 00002 - Combustion
Design Capacity: 371 million Btu per hour

Item 44.5:

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



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Emission Unit: U-00003

Process: 005

Source Classification Code: 1-03-004-01

Process Description: FIRING NO. 6 FUEL OIL IN BOILERS 00003.

Emission Source/Control: 00003 - Combustion

Design Capacity: 377 million Btu per hour

Item 44.6:

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

Emission Unit: U-00003

Process: 006

Source Classification Code: 1-03-006-01

Process Description: FIRING NATURAL GAS IN BOILERS 00003.

Emission Source/Control: 00003 - Combustion

Design Capacity: 377 million Btu per hour

Condition 45: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Fuel oil use in Boiler 00001 shall not exceed 22.12 million gal/yr of # 6 residual oil or, a quantity of natural gas with an equivalent BTU heating value as the 22.12 million gal/yr of #6 fuel oil. The averaging method is to be annually based on a daily rolling total.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 6 OIL

Upper Permit Limit: 22,120,000 gallons per year

Reference Test Method: KEEP RECORD OF FUEL

Monitoring Frequency: DAILY



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Averaging Method: ANNUAL TOTAL ROLLED DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 0 days after the reporting period.
The initial report is due 12/31/02.
Subsequent reports are due every 12 calendar month(s).

Condition 46: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 46.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Monitoring Frequency: CONTINUOUS
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 47: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-1.4(b)

Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 47.2:

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Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038



Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator required to operate a Continuous Opacity Monitoring System (COMS) in accordance with subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

- (1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
- (2) For each period of excess emission, specific identification of the cause and corrective action taken;
- (3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
- (4) The total time in which the COMS are required to record data during the reporting period;
- (5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and
- (6) Such other things as the Department may deem necessary, proper or desirable in order to enforce Article 19 of the Environmental Conservation Law or the rules promulgated thereunder.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1490

Reference Test Method: KEEP RECORDS

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)



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Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Reports due 0 days after the reporting period.
The initial report is due 3/30/02.
Subsequent reports are due every 3 calendar month(s).

Condition 48: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NO_x RACT emission limit. This emission unit's 30-day rolling average of NO_x emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration - wall > 250 MM Btu/hr) operating on gas/oil during the non-ozone season (October 1st to April 30th). Compliance with this emission limit shall be determined on a 30-day rolling average in accordance with the provisions of section 227-2.6 (a)(1) of this Subpart.

The averaging method is the 30-day rolling average of NO_x emissions and it must be calculated as defined in 6 NYCRR 227-2.6(b)(3)(i)(c) as:

The owner/operator of a combustion installation subject to 6 NYCRR 227-2.6(a)(1) and 6 NYCRR 227-2.6(a)(2) shall:

determine the 24-hour daily arithmetic average NO_x emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24 hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m.



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to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 a.m.; or, starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m. The 30 day rolling average shall be the average of the 24 hour daily arithmetic NOx emission rates for a 30 day period.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.25 pounds per million Btus
Reference Test Method: 40 CFR 75 Appendix A
Monitoring Frequency: CONTINUOUS
Averaging Method: 30-DAY ROLLING AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NOx RACT emission limit. This emission unit's 24 hour average of NOx emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration -wall > 250 MM Btu/hr) operating on gas/oil during the ozone season (May 1st to September 30th). Compliance with this emission limit shall be determined on a 24 hour average in accordance with the provisions of section 227-2.6 (a)(1) of this Subpart.

The averaging method is the 24 hour daily average

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(arithmetic mean) of NO_x emissions and it must be calculated as defined in 6 NYCRR 227-2.6(b)(3)(i)(c) as:

The owner/operator of a combustion installation subject to 6 NYCRR 227-2.6(a)(1) and 6 NYCRR 227-2.6(a)(2) shall:

determine the 24-hour daily arithmetic average NO_x emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24 hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 a.m.; or, starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: 40 CFR 75 Appendix A

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 50: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 50.2:

Compliance Certification shall include the following monitoring:



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Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

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

Monitoring Description:

The owner/operator of very large boilers shall measure
NOx emissions with a continuous emissions monitoring system
(CEMS) as described in 6 NYCRR 227-2.6 or with an
equivalent monitoring system approved by the department.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: KEEP RECORDS

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 51: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ANY PERSON WHO OWNS/OPERATORS VERY LARGE
BOILERS (BOILERS > 250 MM BTU/HR) WHICH
HAVE A CEMS IN PLACE, OR ARE IN THE
PROCESS OF PROCURING OR INSTALLING A
CEMS, SHALL SUBMIT FOR DEPARTMENT
APPROVAL A PRELIMINARY CEMS MONITORING
PLAN, AS DEFINED IN SECTION
227-2.2(b)(12) OF THIS OF THE COMPLIANCE
PLAN REQUIRED UNDER SECTION 227-2.3(a)(1)
OF THIS PART FOR MEASURING NOX

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EMISSIONS.

THE OWNER/OPERATOR OF THE VERY LARGE BOILER (BOILERS > 250 MM BTU/HR) SHALL INSTALL, CALIBRATE, MAINTAIN, AND OPERATE A CEMS FOR MEASURING NOX AT LOCATIONS APPROVED IN THE FINAL CEMS PROTOCOL UNDER PARAGRAPH (2) OF THIS SUBDIVISION, AND SHALL RECORD THE OUTPUT OF EACH SUCH SYSTEM.

THE OWNER/OPERATOR OF SUCH BOILERS SHALL MEASURE NOX EMISSIONS, RECORD THE OUTPUT OF EACH SUCH SYSTEM AND COMPLY WITH THE CEMS MONITORING REQUIREMENTS AS DESCRIBED IN 6 NYCRR 227-2.6(b)(3) AND ALSO COMPLY WITH THE CEMS RECORDKEEPING AND REPORTING REQUIREMENTS AS DESCRIBED IN 6 NYCRR 227-2.6(b)(4).

RIVERBAY CORP-CO-OP CITY HAS THREE VERY LARGE BOILERS (BOILERS > 250 MM BTU/HR); BOILERS 00001 & 00002 ARE 371 MM BTU/HR EACH AND BOILER 00003 IS 377 MM BTU/HR.

THE FACILITY IS SUBJECT TO 6 NYCRR 227-2.6(A)(1), OXIDES OF NITROGEN EMISSIONS USING CEMS AND 6NYCRR 227-2.6(B), RECORKEEPING OF OXIDES OF NITROGEN USING CEMS.

WITHIN 90 DAYS of NYSDEC APPROVAL OF THE CEM CERTIFICATION PERFORMANCE TEST, CO-OP CITY SHALL SUBMIT A CEMS QUALITY ASSURANCE PLAN TO NYSDEC. THIS PLAN IS SUBJECT TO NYSDEC APPROVAL.

THE QUARTERLY WRITTEN CEM REPORT MUST INCLUDE "THE RESULTS OF THE QUARTERLY MONITORING PERFORMANCE AUDIT, REPORTED IN THE FORMAT OF 40 CFR 60 APPENDIX F (OR EQUIVALENT)."

THE CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) INSTALLED ON ALL THREE BOILERS WOULD DOCUMENT ANY OPERATIONAL PROBLEMS DEALING WITH NOX, CO OR CO2

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EMISSIONS. THE CEMS FOR THE CO-OP CITY COMPLEX MONITORS THE CONCENTRATIONS AND EMISSION RATES FOR VARIOUS CONSTITUENTS OF INTERESTS (NOX, CO & CO₂) IN EACH OF THE THREE BOILERS' EXHAUST STREAM. RIVERBAY'S BOILERS HAVE A POTENTIAL TO EMIT NOX IN EXCESS OF 100 TONS/YR. THUS, RIVERBAY HAS TO COMPLY WITH THE NOX RACT REGULATIONS (6 NYCRR 227-2.4(A)) AND GUIDANCE FOR VERY LARGE BOILER (>250 MM BTU/HR) WHICH IS A LIMIT OF 0.25 POUNDS OF NOX PER MILLION BTU.

THE FACILITY (POWER PLANT) HAS COMPLIED WITH 40CFR 60-DB.49B, REPORTING AND RECORDKEEPING REQUIREMENTS OF THE REACTIVATION BURNING DUAL-FUEL IN THE BOILERS BY NOTIFYING THE DEPARTMENT IN 1994 IN A LETTER FROM MS. ELIZA DOLIN REPRESENTING DEWEY BALLANTINE, THE ATTORNEY FOR RIVERBAY DATED 4-15-1994 AND WRITTEN TO MS. LAURIANNE SILBERFELD, THE ATTORNEY FOR DEC. THE FACILITY MUST COMPLY WITH THE NOX RACT, 6NYCRR 227-2.4 (A), HAVING EMISSION LIMITS OF OXIDES OF NITROGEN OF 0.25 LBS/MM BTU USING CEMS. ALSO, 6NYCRR 231-2, THE NEW SOURCE REVIEW IS NON-APPLICABLE TO THIS FACILITY BECAUSE THE FACILITY SWITCHED FUELS IN 1995 FROM # 6 FUEL OIL TO NATURAL GAS AND # 6 FUEL OIL (REACTIVATION OF ITS DUAL FIRING CAPABILITY). THE FACILITY'S TOTAL ANNUAL EMISSIONS OF NOX HAS DECLINED FROM 800,000 LB/YR IN 1994 TO 330,000 LB/YR IN 1999.

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 52: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(1)

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Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) CEMS Requirements:

(1) Owners/operators of combustion installations subject to paragraphs (a)(1), (2) and (5) of this section:

(i) which have a CEMS in place, or are in the process of procuring or installing a CEMS, shall submit for department approval a preliminary CEMS monitoring plan, as defined in section 227-2.2(b)(12) of this Subpart, as part of the compliance plan required under section 227-2.3(a)(1) of this Subpart; or

(ii) which are not covered under subparagraph (i) of this paragraph, shall submit for department approval a preliminary CEMS monitoring plan, as defined in section 227-2.2(b)(12) of this Subpart, at least 180 days prior to equipment installation. The Department will notify the owner/operator of the acceptability of the plan within 60 days; or

(iii) which opt to petition for an equivalent monitoring plan, shall submit this plan to the department as part of the compliance plan.

Within 90 days of NYSDEC approval of the CEM Certification Performance Test, Co-Op City shall submit a CEMSs Quality Assurance Plan to NYSDEC. This plan is subject to NYSDEC approval.

The quarterly written CEM report must include "The results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent)."

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A



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Facility DEC ID: 2600300038

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 53: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(2)

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- 0 (2)A CEMS certification protocol, as defined in section 227-2.2(b)(3), must be submitted at least 90 days prior to compliance stack testing. The location of and specifications for each instrument or device, as well as procedures for calibration, operation, data evaluation and data reporting, must be approved by the department. The department will notify the owner/operator of the acceptability of the protocol within 60 days.

Within 90 days of NYSDEC approval of the CEM Certification Performance Test, Co-Op City shall submit a CEMSs Quality Assurance Plan to NYSDEC. This plan is subject to NYSDEC approval.

The quarterly written CEM report must include "The results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent)."

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC

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MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 54: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(3)

Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) CEMS Requirements:

(3) CEMS monitoring requirements: Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) of this section shall install, calibrate, maintain, and operate a CEMS for measuring NO_x at locations approved in the final CEMS protocol under paragraph (2) of this subdivision, and shall record the output of each such system. The following procedures and test methods shall be used for determining compliance with the appropriate oxides of nitrogen limit under section 227-2.4 of this Subpart:

(i) The owner/operator of a combustion installation subject to paragraphs (a)(1) and (2) of this section shall:

(a) calculate all 24-hour daily heat input weighted average NO_x emission rates from block hourly arithmetic emission rate averages calculated using data points generated by the CEMS and expressed in terms of pounds of NO_x per million Btu;

(b) demonstrate compliance with the appropriate emission limit under section 227-2.4 by using a CEMS for measuring NO_x and calculating a 24-hour daily heat input weighted average NO_x emission rate using

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40 CFR Part 60, Appendix A, Method 19. A 30 day rolling heat input weighted average may be used to demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart from October 1 to April 30;

(c) determine the 24-hour daily heat input weighted average NO_x emission rate based on the arithmetic average of the block hourly heat input weighted average emission rates during each 24 hour daily period from 12:00 am to 12:00 am the following day using CEMS data. The block hourly heat input weighted average emission rate shall be calculated for each one hour period starting with the period 12:00 am to 1:00 am and continuing through until the last period 11:00 pm to 12:00 am; or, starting with the period 12:00 pm to 1:00 pm and continuing through the last period 11:00 am to 12:00 pm. The 30 day rolling heat input weighted average shall be the average of the 24 hour daily heat input weighted NO_x emission rates for a 30 day period; and

(d) use at least three data points, collected at 15 minute intervals, to calculate the block hourly heat input weighted average emission rates to be used in calculating the 24 hour daily heat input weighted average NO_x emission rate.

(iii) At a minimum, valid CEMS data shall be obtained for 75 percent of the hours per day for 75 percent of the days of the month and 90 percent of the days of the quarter that the affected facility is operating.

(iv) All valid CEMS data shall be used in calculating emission rates even if the minimum data requirements of subparagraph (iii) of this paragraph are not met.

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(v) The procedures under 40 CFR 60.13(d),(e) and (f); 40 CFR Part 60, Appendix B, Performance Specification 2; and any additional criteria specified by the Department shall be followed for the installation, evaluation, and operation of the CEMS.

(vi) Quarterly accuracy and daily calibration drift tests shall be performed in accordance with 40 CFR Part 60, Appendix F and any additional data requirements determined appropriate by the Department.

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(vii) When NOx emission data are not obtained because of CEMS breakdowns and repairs, emission data shall be obtained by using the 90th percentile value of all CEMS NOx emission data collected over the last 180 days to provide as necessary valid emission data for the minimum requirements in subparagraph (iii) of this paragraph.

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 55: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(4)

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

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

Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners/operators of combustion installations subject to paragraphs (a)(1), (2) and (5) of this section:

(4) CEMS recordkeeping and reporting requirements:

(i) Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) of this section who applies for permit(s) to construct under section 227-2.3(a)(1) must notify the department of planned initial start-up dates.

(ii) Protocols, reports, summaries, and any other

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information required to be submitted to the Department under provisions of this Subpart shall be sent as follows:

('a') One copy to the Division of Air Resources, New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233; and

('b') One copy to the regional air pollution control engineer at the appropriate regional office of the Department.

(iii) A file of the emission, monitoring, and operating parameter records or measurements required by this Subpart, quarterly and annual summaries, and any additional parameters required by the department as a result of new technology or information, must be maintained for at least three years, and made available upon request by the Department within ten working days from receipt of the request.

(iv) Any person who owns or operates a combustion installation subject to paragraphs paragraphs (a)(1), (2) and (5) of this section, will, following each calendar quarter, tabulate and summarize applicable emission, monitoring, and operating parameter measurements (including but not limited to type and amount of fuel burned daily, heat content of the fuel, total heating value of the fuel consumed daily, the actual NO_x emission rate, the allowable NO_x emission rate and the summation of the units included in the averaging scheme), and any of the following operating parameters which are applicable, recorded during the preceding three months. Such quarterly summaries must be submitted within 30 days after the end of each calendar quarter in either a format complying with 227-3.15 or a format acceptable to the department, and include at a minimum:

('a') the average NO_x emission rates as specified under paragraph (b)(3). (For units covered under paragraphs paragraphs (a)(1) and (2) of this section, block hourly average emission rates are to be recorded and tabulated, but do not need to be included in the quarterly summaries);

('b') identification of the operating days where NO_x emissions data is not included in the calculation of the average emission rate and the reasons for not including

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that data; and

(c) the results of daily NOx continuous emission monitor drift tests and accuracy assessments as required by 40 CFR Part 60, Appendix F and any additional data quality requirements determined appropriate by the department.

(v) Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) shall submit the initial compliance test data, the performance evaluation of the CEMS found in 40 CFR Part 60, Appendix B, and the maximum demonstrated unit load.

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 0 days after the reporting period.

The initial report is due 3/30/02.

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

Condition 56: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 56.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Process: 001 Emission Source: 00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

TO LIMIT SO2 EMISSIONS, NO PERSON SHALL

New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038



SELL, OFFER FOR SALE, PURCHASE OR USE # 6
RESIDUAL FUEL OIL WHICH CONTAINS SULFUR
IN A QUANTITY EXCEEDING MAXIMUM PERCENT
OF SULFUR BY WEIGHT OF 0.30. THE
FACILITY KEEPS RECORDS ON FILE AS
DELIVERIES ARE RECEIVED.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Reference Test Method: ASTM D-4294

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 57: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-1.2(a)(1)

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: 001 Emission Source: 00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 57.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Riverbay Corporation would rely on "continuous opacity monitoring (COMS) ...as a surrogate indication of compliance with particulates emission limit." The particulates emissions may not exceed 0.1 pounds per million BTU's.

Particulate emission limit of 37.1 pounds per hour for Boiler 00001 which has a heating capacity of 371 mm Btu/hr (exceeding 250 mm Btu/hr) and fires fuel oil # 6 during Process 001.

New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038



Manufacturer Name/Model Number: CEM
Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.1 pounds per million Btus
Reference Test Method: Method 5/Method 17
Monitoring Frequency: CONTINUOUS
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 0 days after the reporting period.
The initial report is due 3/30/02.
Subsequent reports are due every 3 calendar month(s).

Condition 58: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.

Item 58.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: 001 Emission Source: 00001

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS MONITORING OF NOX EMISSION
FOR BOILER NO. 00001. THE NOX EMISSIONS
MAY NOT EXCEED 0.25 LBS/MM BTU. THE
AVERAGING METHOD TO BE USED IS THE 24
HOUR AVERAGE AND IT IS TO BE CALCULATED
ON A DAILY BASIS.

Manufacturer Name/Model Number: SERVOMEX MODEL 1410
Upper Permit Limit: 0.25 pounds per million Btus
Reference Test Method: METHOD 7E
Monitoring Frequency: CONTINUOUS
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)
Reporting Requirements: QUARTERLY (ANNIVERSARY)



New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Initial Report Due: 07/03/2002 for the period 03/04/2002 through 06/03/2002

Condition 59: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 231-2.

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: 001 Emission Source: 00001

Item 59.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Fuel oil use in Boiler 00001 shall not exceed 22.12 million gallons per year of # 6 residual oil or, a quantity of natural gas with an equivalent BTU heating value as 22.12 million gal/yr (based on a daily rolling total).

Parameter Monitored: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Upper Permit Limit: 22,120,000 gallons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 60: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: 002 Emission Source: 00001

Regulated Contaminant(s):

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



New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CONTINUOUS MONITORING OF NOX EMISSION FOR BOILER NO. 00001. THE NOX EMISSIONS MAY NOT EXCEED 0.25 LBS/MM BTU. THE AVERAGING METHOD TO BE USED IS THE 24 HOUR AVERAGE AND IT IS TO BE CALCULATED ON A DAILY BASIS.

Manufacturer Name/Model Number: SERVOMEX MODEL 1410

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: METHOD 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: QUARTERLY (ANNIVERSARY)

Initial Report Due: 07/03/2002 for the period 03/04/2002 through 06/03/2002

Condition 61: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 61.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):

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

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Fuel oil use in Boiler 00002 shall not exceed 22.12 million gal/yr of # 6 residual oil or, a quantity of natural gas with an equivalent BTU heating value as the 22.12 million gal/yr of #6 fuel oil. The averaging method is to be annually based on a daily rolling total.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 6 OIL



New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Upper Permit Limit: 22,120,000 gallons per year
Reference Test Method: KEEP RECORD OF FUEL
Monitoring Frequency: DAILY
Averaging Method: ANNUAL TOTAL ROLLED DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 0 days after the reporting period.
The initial report is due 12/31/02.
Subsequent reports are due every 12 calendar month(s).

Condition 62: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Item 62.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 63: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-1.4(b)

Item 63.1:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038



Emission Unit: U-00002 Emission Point: 00002

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator required to operate a Continuous Opacity Monitoring System (COMS) in accordance with subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

- (1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
- (2) For each period of excess emission, specific identification of the cause and corrective action taken;
- (3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
- (4) The total time in which the COMS are required to record data during the reporting period;
- (5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and
- (6) Such other things as the Department may deem necessary, proper or desirable in order to enforce Article 19 of the Environmental Conservation Law or the rules promulgated thereunder.

Manufacturer Name/Model Number: SERVOMEX, Model 1490

Reference Test Method: KEEP RECORDS



New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 0 days after the reporting period.

The initial report is due 3/30/02.

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

Condition 64: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 64.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):

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

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NO_x RACT emission limit. This emission unit's 24 hour average of NO_x emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration - wall > 250 MM Btu/hr) operating on gas/oil during the ozone season (May 1st to September 30th). Compliance with this emission limit shall be determined on a 24 hour average in accordance with the provisions of section 227-2.6 (a)(1) of this Subpart.

The averaging method is the 24 hour daily average (arithmetic mean) of NO_x emissions and it must be calculated as defined in 6 NYCRR 227-2.6(b)(3)(i)(c) as:

The owner/operator of a combustion installation subject to 6 NYCRR 227-2.6(a)(1) and 6 NYCRR 227-2.6(a)(2) shall:

determine the 24-hour daily arithmetic average NO_x emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24



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hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 a.m.; or, starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.25 pounds per million Btus
Reference Test Method: 40 CFR 75 Appendix A
Monitoring Frequency: CONTINUOUS
Averaging Method: 24-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 65: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 65.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:

Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NO_x RACT emission limit. This emission unit's 30-day rolling average of NO_x emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration - wall > 250 MM Btu/hr) operating on gas/oil during the non-ozone season (October 1st to April 30th). Compliance with this emission limit shall be determined on a 24 hour average in accordance with the provisions of section 227-2.6 (a)(1) of this Subpart.

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The averaging method is the 30-day rolling average of NOx emissions and it must be calculated as defined in 6 NYCRR 227-2.6(b)(3)(i)(c) as:

The owner/operator of a combustion installation subject to 6 NYCRR 227-2.6(a)(1) and 6 NYCRR 227-2.6(a)(2) shall:

determine the 24-hour daily arithmetic average NOx emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24 hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 a.m.; or, starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m. The 30 day rolling average shall be the average of the 24 hour daily arithmetic NOx emission rates for a 30 day period.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.25 pounds per million Btus
Reference Test Method: 40 CFR Appendix A
Monitoring Frequency: CONTINUOUS
Averaging Method: 30-DAY ROLLING AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)

Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 66.2:



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Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The owner/operator of very large boilers shall measure
NOx emissions with a continuous emissions monitoring system
(CEMS) as described in 6 NYCRR 227-2.6 or with an
equivalent monitoring system approved by the department.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: KEEP RECORDS

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 67: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)

Item 67.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):

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

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

ANY PERSON WHO OWNS/OPERATORS VERY LARGE
BOILERS WHICH HAVE A CEMS IN PLACE, OR
ARE IN THE PROCESS OF PROCURING OR
INSTALLING A CEMS, SHALL SUBMIT FOR
DEPARTMENT APPROVAL A PRELIMINARY CEMS
MONITORING PLAN, AS DEFINED IN SECTION
227-2.2(b)(12) OF THIS OF THE COMPLIANCE
PLAN REQUIRED UNDER SECTION 227-2.3(a)(1)

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OF THIS PART FOR MEASURING NOX EMISSIONS.

THE OWNER/OPERATOR OF THE VERY LARGE BOILER SHALL INSTALL, CALIBRATE, MAINTAIN, AND OPERATE A CEMS FOR MEASURING NOX AT LOCATIONS APPROVED IN THE FINAL CEMS PROTOCOL UNDER PARAGRAPH (2) OF THIS SUBDIVISION, AND SHALL RECORD THE OUTPUT OF EACH SUCH SYSTEM.

THE OWNER/OPERATOR OF SUCH BOILERS SHALL MEASURE NOX EMISSIONS, RECORD THE OUTPUT OF EACH SUCH SYSTEM AND COMPLY WITH THE CEMS MONITORING REQUIREMENTS AS DESCRIBED IN 6 NYCRR 227-2.6(b)(3) AND ALSO COMPLY WITH THE CEMS RECORDKEEPING AND REPORTING REQUIREMENTS AS DESCRIBED IN 6 NYCRR 227-2.6(b)(4).

RIVERBAY CORP-CO-OP CITY HAS THREE VERY LARGE BOILERS (BOILERS > 250 MM BTU/HR); BOILERS 00001 & 00002 ARE 371 MM BTU/HR EACH AND BOILER 00003 IS 377 MM BTU/HR.

THE FACILITY IS SUBJECT TO 6 NYCRR 227-2.6(A)(1), OXIDES OF NITROGEN EMISSIONS USING CEMS AND 6 NYCRR 227-2.6(B), RECORDKEEPING OF OXIDES OF NITROGEN USING CEMS.

THE CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) INSTALLED ON ALL THREE BOILERS WOULD DOCUMENT ANY OPERATIONAL PROBLEMS DEALING WITH NOX, CO OR CO2 EMISSIONS. THE CEMS FOR THE CO-OP CITY COMPLEX MONITORS THE CONCENTRATIONS AND EMISSION RATES FOR VARIOUS CONSTITUENTS OF INTERESTS (NOX, CO & CO2) IN EACH OF THE THREE BOILERS' EXHAUST STREAM. RIVERBAY'S BOILERS HAVE A POTENTIAL TO EMIT NOX IN EXCESS OF 100 TONS/YR. THUS, RIVERBAY HAS TO COMPLY WITH THE NOX RACT REGULATIONS (6 NYCRR 227-2.4(A)) AND GUIDANCE FOR VERY LARGE BOILER (>250 MM BTU/HR) WHICH IS A LIMIT OF 0.25 POUNDS OF NOX PER MILLION BTU.

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THE FACILITY (POWER PLANT) HAS COMPLIED WITH 40CFR 60-DB.49B, REPORTING AND RECORDKEEPING REQUIREMENTS OF THE REACTIVATION BURNING DUAL-FUEL IN THE BOILERS BY NOTIFYING THE DEPARTMENT IN 1994 IN A LETTER FROM MS. ELIZA DOLIN REPRESENTING DEWEY BALLANTINE, THE ATTORNEY FOR RIVERBAY DATED 4-15-1994 AND WRITTEN TO MS. LAURIANNE SILBERFELD, THE ATTORNEY FOR DEC. THE FACILITY MUST COMPLY WITH THE NOX RACT, 6NYCRR 227-2.4 (A), HAVING EMISSION LIMITS OF OXIDES OF NITROGEN OF 0.25 LBS/MM BTU USING CEMS. ALSO, 6NYCRR 231-2, THE NEW SOURCE REVIEW IS NON-APPLICABLE TO THIS FACILITY BECAUSE THE FACILITY SWITCHED FUELS IN 1995 FROM # 6 FUEL OIL TO NATURAL GAS AND # 6 FUEL OIL (REACTIVATION OF ITS DUAL FIRING CAPABILITY). THE FACILITY'S TOTAL ANNUAL EMISSIONS OF NOX HAS DECLINED FROM 800, 000 LB/YR IN 1994 TO 330,000 LB/YR IN 1999.

Manufacturer Name/Model Number: SERVOMEX, INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 04/02/2003 for the period 03/04/2002 through 03/03/2003

Condition 68: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(1)

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):

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

Item 68.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) CEMS Requirements:

(1) Owners/operators of combustion installations subject to paragraphs (a)(1), (2) and (5) of this section:

(i) which have a CEMS in place, or are in the process of procuring or installing a CEMS, shall submit for department approval a preliminary CEMS monitoring plan, as defined in section 227-2.2(b)(12) of this Subpart, as part of the compliance plan required under section 227-2.3(a)(1) of this Subpart; or

(ii) which are not covered under subparagraph (i) of this paragraph, shall submit for department approval a preliminary CEMS monitoring plan, as defined in section 227-2.2(b)(12) of this Subpart, at least 180 days prior to equipment installation. The Department will notify the owner/operator of the acceptability of the plan within 60 days; or

(iii) which opt to petition for an equivalent monitoring plan, shall submit this plan to the department as part of the compliance plan.

Within 90 days of NYSDEC approval of the CEM Certification Performance Test, Co-Op City shall submit a CEMSs Quality Assurance Plan to NYSDEC. This plan is subject to NYSDEC approval.

The quarterly written CEM report must include "The results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent)."

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 69: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(2)



New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Item 69.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):

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

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(2)A CEMS certification protocol, as defined in section 227-2.2(b)(3), must be submitted at least 90 days prior to compliance stack testing. The location of and specifications for each instrument or device, as well as procedures for calibration, operation, data evaluation and data reporting, must be approved by the department. The department will notify the owner/operator of the acceptability of the protocol within 60 days.

Within 90 days of NYSDEC approval of the CEM Certification Performance Test, Co-Op City shall submit a CEMSs Quality Assurance Plan to NYSDEC. This plan is subject to NYSDEC approval.

The quarterly written CEM report must include "The results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent)."

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 70: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(3)

Item 70.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038



Regulated Contaminant(s):

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

Item 70.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) CEMS Requirements:

(3) CEMS monitoring requirements: Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) of this section shall install, calibrate, maintain, and operate a CEMS for measuring NO_x at locations approved in the final CEMS protocol under paragraph (2) of this subdivision, and shall record the output of each such system. The following procedures and test methods shall be used for determining compliance with the appropriate oxides of nitrogen limit under section 227-2.4 of this Subpart:

(i) The owner/operator of a combustion installation subject to paragraphs (a)(1) and (2) of this section shall:

(a) calculate all 24-hour daily heat input weighted average NO_x emission rates from block hourly arithmetic emission rate averages calculated using data points generated by the CEMS and expressed in terms of pounds of NO_x per million Btu;

(b) demonstrate compliance with the appropriate emission limit under section 227-2.4 by using a CEMS for measuring NO_x and calculating a 24-hour daily heat input weighted average NO_x emission rate using 40 CFR Part 60, Appendix A, Method 19. A 30 day rolling heat input weighted average may be used to demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart from October 1 to April 30;

(c) determine the 24-hour daily heat input weighted average NO_x emission rate based on the arithmetic average of the block hourly heat input weighted average emission rates during each 24 hour daily period from 12:00 am to 12:00 am the following day using CEMS data. The block hourly heat input weighted average

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emission rate shall be calculated for each one hour period starting with the period 12:00 am to 1:00 am and continuing through until the last period 11:00 pm to 12:00 am; or, starting with the period 12:00 pm to 1:00 pm and continuing through the last period 11:00 am to 12:00 pm. The 30 day rolling heat input weighted average shall be the average of the 24 hour daily heat input weighted NOx emission rates for a 30 day period; and

(d) use at least three data points, collected at 15 minute intervals, to calculate the block hourly heat input weighted average emission rates to be used in calculating the 24 hour daily heat input weighted average NOx emission rate.

(iii) At a minimum, valid CEMS data shall be obtained for 75 percent of the hours per day for 75 percent of the days of the month and 90 percent of the days of the quarter that the affected facility is operating.

(iv) All valid CEMS data shall be used in calculating emission rates even if the minimum data requirements of subparagraph (iii) of this paragraph are not met.

(v) The procedures under 40 CFR 60.13(d),(e) and (f); 40 CFR Part 60, Appendix B, Performance Specification 2; and any additional criteria specified by the Department shall be followed for the installation, evaluation, and operation of the CEMS.

(vi) Quarterly accuracy and daily calibration drift tests shall be performed in accordance with 40 CFR Part 60, Appendix F and any additional data requirements determined appropriate by the Department.

(vii) When NOx emission data are not obtained because of CEMS breakdowns and repairs, emission data shall be obtained by using the 90th percentile value of all CEMS NOx emission data collected over the last 180 days to provide as necessary valid emission data for the minimum requirements in subparagraph (iii) of this paragraph.

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410



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Reference Test Method: METHOD 19 APP A
Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 71: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(4)

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners/operators of combustion installations subject to paragraphs (a)(1), (2) and (5) of this section:

(4) CEMS recordkeeping and reporting requirements:

(i) Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) of this section who applies for permit(s) to construct under section 227-2.3(a)(1) must notify the department of planned initial start-up dates.

(ii) Protocols, reports, summaries, and any other information required to be submitted to the Department under provisions of this Subpart shall be sent as follows:

(a) One copy to the Division of Air Resources, New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233; and

(b) One copy to the regional air pollution control engineer at the appropriate regional office of the

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Department.

(iii) A file of the emission, monitoring, and operating parameter records or measurements required by this Subpart, quarterly and annual summaries, and any additional parameters required by the department as a result of new technology or information, must be maintained for at least three years, and made available upon request by the Department within ten working days from receipt of the request.

(iv) Any person who owns or operates a combustion installation subject to paragraphs paragraphs (a)(1), (2) and (5) of this section, will, following each calendar quarter, tabulate and summarize applicable emission, monitoring, and operating parameter measurements (including but not limited to type and amount of fuel burned daily, heat content of the fuel, total heating value of the fuel consumed daily, the actual NO_x emission rate, the allowable NO_x emission rate and the summation of the units included in the averaging scheme), and any of the following operating parameters which are applicable, recorded during the preceding three months. Such quarterly summaries must be submitted within 30 days after the end of each calendar quarter in either a format complying with 227-3.15 or a format acceptable to the department, and include at a minimum:

(a) the average NO_x emission rates as specified under paragraph (b)(3). (For units covered under paragraphs paragraphs (a)(1) and (2) of this section, block hourly average emission rates are to be recorded and tabulated, but do not need to be included in the quarterly summaries);

(b) identification of the operating days where NO_x emissions data is not included in the calculation of the average emission rate and the reasons for not including that data; and

(c) the results of daily NO_x continuous emission monitor drift tests and accuracy assessments as required by 40 CFR Part 60, Appendix F and any additional data quality requirements determined appropriate by the department.

(v) Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5)



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shall submit the initial compliance test data, the performance evaluation of the CEMS found in 40 CFR Part 60, Appendix B, and the maximum demonstrated unit load.

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 72: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002
Process: 003 Emission Source: 00002

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

TO LIMIT SO2 EMISSIONS, NO PERSON SHALL SELL, OFFER FOR SALE, PURCHASE OR USE # 6 RESIDUAL FUEL OIL WHICH CONTAINS SULFUR IN A QUANTITY EXCEEDING MAXIMUM PERCENT OF SULFUR BY WEIGHT OF 0.30. THE FACILITY KEEPS RECORDS ON FILE AS DELIVERIES ARE RECEIVED.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Reference Test Method: ASTM D-4294



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Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 73: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-1.2(a)(1)

Item 73.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002
Process: 003 Emission Source: 00002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Riverbay Corporation would rely on "continuous opacity monitoring (COMS) ...as a surrogate indication of compliance with particulates emission limit." The particulates emissions may not exceed 0.1 pounds per million BTU's.

Particulate emission limit of 37.1 pounds per hour for Boiler 00002 which has a heating capacity of 371 mm Btu/hr (exceeding 250 mm Btu/hr) and fires fuel oil # 6 during Process 003.

Manufacturer Name/Model Number: CEM

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: Method 5/Method 17

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 0 days after the reporting period.

The initial report is due 3/30/02.

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

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Condition 74: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.

Item 74.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002
Process: 003 Emission Source: 00002

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 74.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CONTINUOUS MONITORING OF NOX EMISSION
FOR BOILER NO. 00002. THE NOX EMISSIONS
MAY NOT EXCEED 0.25 LBS/MM BTU. THE
AVERAGING METHOD TO BE USED IS THE 24
HOUR AVERAGE AND IT IS TO BE CALCULATED
ON A DAILY BASIS.

Manufacturer Name/Model Number: SERVOMEX MODEL 1410

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: METHOD 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: QUARTERLY (ANNIVERSARY)

Initial Report Due: 07/03/2002 for the period 03/04/2002 through 06/03/2002

Condition 75: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 231-2.

Item 75.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002
Process: 003 Emission Source: 00002

Item 75.2:



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Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Fuel oil use in Boiler 00002 shall not exceed 22.12 million gallons per year of # 6 residual oil or, a quantity of natural gas with an equivalent BTU heating value as 22.12 million gal/yr (based on a daily rolling total).

Parameter Monitored: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Upper Permit Limit: 22,120,000 gallons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

abReports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 76: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.

Item 76.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Process: 004 Emission Source: 00002

Regulated Contaminant(s):

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

Item 76.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CONTINUOUS MONITORING OF NOX EMISSION FOR BOILER NO. 00002. THE NOX EMISSIONS MAY NOT EXCEED 0.25 LBS/MM BTU. THE AVERAGING METHOD TO BE USED IS THE 24 HOUR AVERAGE AND IT IS TO BE CALCULATED ON A DAILY BASIS.

Manufacturer Name/Model Number: SERVOMEX MODEL 1410

Upper Permit Limit: 0.25 pounds per million Btus



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Reference Test Method: METHOD 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: QUARTERLY (ANNIVERSARY)

Initial Report Due: 07/03/2002 for the period 03/04/2002 through 06/03/2002

Condition 77: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 201-6.

Item 77.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

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

Item 77.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Fuel oil use in Boiler 00003 shall not exceed 22.45
million gal/yr of # 6 residual oil or, a quantity of
natural gas with an equivalent BTU heating value as the
22.45 million gal/yr of #6 fuel oil. The averaging method
is to be annually based on a daily rolling total.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 6 OIL

Upper Permit Limit: 22,450,000 gallons per year

Reference Test Method: KEEP RECORD OF FUEL

Monitoring Frequency: DAILY

Averaging Method: ANNUAL TOTAL ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 0 days after the reporting period.

The initial report is due 12/31/02.

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

Condition 78: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

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



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Item 78.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Item 78.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average utilizing a continuous opacity monitor (COM).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 79: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-1.4(b)

Item 79.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Each owner or operator required to operate a Continuous Opacity Monitoring System (COMS) in accordance with subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day



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following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

- (1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;
- (2) For each period of excess emission, specific identification of the cause and corrective action taken;
- (3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
- (4) The total time in which the COMS are required to record data during the reporting period;
- (5) The total number of exceedences and the duration of exceedences expressed as a percentage of the total time in which the COMS are required to record data; and
- (6) Such other things as the Department may deem necessary, proper or desirable in order to enforce Article 19 of the Environmental Conservation Law or the rules promulgated thereunder.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1490

Reference Test Method: KEEP RECORDS

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 0 days after the reporting period.

The initial report is due 3/30/02.

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

Condition 80: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 80.1:

The Compliance Certification activity will be performed for:

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Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

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

Item 80.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NO_x RACT emission limit. This emission unit's 30-day rolling average of NO_x emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration - wall > 250 MM Btu/hr) operating on gas/oil during the non-ozone season (October 1st to April 30th). Compliance with this emission limit shall be determined on a 30-day rolling average in accordance with the provisions of section 227-2.6 (a)(1) of this Subpart.

The averaging method is the 30-day rolling average of NO_x emissions and it must be calculated as defined in 6 NYCRR 227-2.6(b)(3)(i)(c) as:

The owner/operator of a combustion installation subject to 6 NYCRR 227-2.6(a)(1) and 6 NYCRR 227-2.6(a)(2) shall:

determine the 24-hour daily arithmetic average NO_x emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24 hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 a.m.; or, starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m. The 30 day rolling average shall be the average of the 24 hour daily arithmetic NO_x emission rates for a 30 day period.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: 40 CFR 75 Appendix A



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Monitoring Frequency: CONTINUOUS
Averaging Method: 30-DAY ROLLING AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 81: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.4(a)

Item 81.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

n0 Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 81.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:

Effective May 31, 1995, any owner or operator of a very large boiler (> 250 MM Btu/hr) must comply with the NO_x RACT emission limit. This emission unit's 24 hour average of NO_x emissions must be equal to or below 0.25 pounds per MM Btu for very large boilers (boiler configuration - wall > 250 MM Btu/hr) operating on gas/oil during the ozone season (May 1st to September 30th). Compliance with this emission limit shall be determined on a 24 hour average in accordance with the provisions of section 227-2.6 (a)(1) of this Subpart.

The averaging method is the 24 hour daily average (arithmetic mean) of NO_x emissions and it must be calculated as defined in 6 NYCRR 227-2.6(b)(3)(i)(c) as:

The owner/operator of a combustion installation subject to 6 NYCRR 227-2.6(a)(1) and 6 NYCRR 227-2.6(a)(2) shall:

determine the 24-hour daily arithmetic average NO_x emission rate based on the arithmetic average of the block hourly arithmetic average emission rates during each 24



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hour daily period from 12:00 a.m. to 12:00 a.m. the following day using CEMS data. The block hourly arithmetic average emission rate shall be calculated for each one hour period starting with the period 12:00 a.m. to 1:00 a.m. and continuing through until the last period 11:00 p.m. to 12:00 a.m.; or, starting with the period 12:00 p.m. to 1:00 p.m. and continuing through the last period 11:00 a.m. to 12:00 p.m.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.25 pounds per million Btus
Reference Test Method: 40 CFR Appendix A
Monitoring Frequency: CONTINUOUS
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 82: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(a)(1)

Item 82.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 82.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The owner/operator of very large boilers shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6 NYCRR 227-2.6 or with an equivalent monitoring system approved by the department.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1491
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.25 pounds per million Btus



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Reference Test Method: KEEP RECORDS
Monitoring Frequency: CONTINUOUS
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 83: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)

Item 83.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 83.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

ANY PERSON WHO OWNS/OPERATORS VERY LARGE BOILERS WHICH HAVE A CEMS IN PLACE, OR ARE IN THE PROCESS OF PROCURING OR INSTALLING A CEMS, SHALL SUBMIT FOR DEPARTMENT APPROVAL A PRELIMINARY CEMS MONITORING PLAN, AS DEFINED IN SECTION 227-2.2(b)(12) OF THIS OF THE COMPLIANCE PLAN REQUIRED UNDER SECTION 227-2.3(a)(1) OF THIS PART FOR MEASURING NOX EMISSIONS.

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THE OWNER/OPERATOR OF THE VERY LARGE BOILER SHALL INSTALL, CALIBRATE, MAINTAIN, AND OPERATE A CEMS FOR MEASURING NOX AT LOCATIONS APPROVED IN THE FINAL CEMS PROTOCOL UNDER PARAGRAPH (2) OF THIS SUBDIVISION, AND SHALL RECORD THE OUTPUT OF EACH SUCH SYSTEM.

THE OWNER/OPERATOR OF SUCH BOILERS SHALL

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MEASURE NOX EMISSIONS, RECORD THE OUTPUT OF EACH SUCH SYSTEM AND COMPLY WITH THE CEMS MONITORING REQUIREMENTS AS DESCRIBED IN 6 NYCRR 227-2.6(b)(3) AND ALSO COMPLY WITH THE CEMS RECORDKEEPING AND REPORTING REQUIREMENTS AS DESCRIBED IN 6 NYCRR 227-2.6(b)(4).

RIVERBAY CORP-CO-OP CITY HAS THREE VERY LARGE BOILERS (BOILERS > 250 MM BTU/HR); BOILERS 00001 & 00002 ARE 371 MM BTU/HR EACH AND BOILER 00003 IS 377 MM BTU/HR.

THE FACILITY IS SUBJECT TO 6 NYCRR 227-2.6(A)(1), OXIDES OF NITROGEN EMISSIONS USING CEMS AND 6NYCRR 227-2.6(B), RECORDKEEPING OF OXIDES OF NITROGEN USING CEMS.

THE CONTINUOUS EMISSIONS MONITORING SYSTEM (CEMS) INSTALLED ON ALL THREE BOILERS WOULD DOCUMENT ANY OPERATIONAL PROBLEMS DEALING WITH NOX, CO OR CO2 EMISSIONS. THE CEMS FOR THE CO-OP CITY COMPLEX MONITORS THE CONCENTRATIONS AND EMISSION RATES FOR VARIOUS CONSTITUENTS OF INTERESTS (NOX, CO & CO2) IN EACH OF THE THREE BOILERS' EXHAUST STREAM. RIVERBAY'S BOILERS HAVE A POTENTIAL TO EMIT NOX IN EXCESS OF 100 TONS/YR. THUS, RIVERBAY HAS TO COMPLY WITH THE NOX RACT REGULATIONS (6 NYCRR 227-2.4(A)) AND GUIDANCE FOR VERY LARGE BOILER (>250 MM BTU/HR) WHICH IS A LIMIT OF 0.25 POUNDS OF NOX PER MILLION BTU.

THE FACILITY (POWER PLANT) HAS COMPLIED WITH 40CFR 60-DB.49B, REPORTING AND RECORDKEEPING REQUIREMENTS OF THE REACTIVATION BURNING DUAL-FUEL IN THE BOILERS BY NOTIFYING THE DEPARTMENT IN 1994 IN A LETTER FROM MS. ELIZA DOLIN REPRESENTING DEWEY BALLANTINE, THE ATTORNEY FOR RIVERBAY DATED 4-15-1994 AND WRITTEN TO MS. LAURIANNE SILBERFELD, THE ATTORNEY FOR DEC. THE FACILITY MUST COMPLY WITH THE NOX RACT, 6NYCRR 227-2.4

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(A), HAVING EMISSION LIMITS OF OXIDES OF NITROGEN OF 0.25 LBS/MM BTU USING CEMS. ALSO, 6NYCRR 231-2, THE NEW SOURCE REVIEW IS NON-APPLICABLE TO THIS FACILITY BECAUSE THE FACILITY SWITCHED FUELS IN 1995 FROM # 6 FUEL OIL TO NATURAL GAS AND # 6 FUEL OIL (REACTIVATION OF ITS DUAL FIRING CAPABILITY). THE FACILITY'S TOTAL ANNUAL EMISSIONS OF NOX HAS DECLINED FROM 800,000 LB/YR IN 1994 TO 330,000 LB/YR IN 1999.

Manufacturer Name/Model Number: SERVOMEX, INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 04/02/2003 for the period 03/04/2002 through 03/03/2003

Condition 84: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(1)

Item 84.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

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

Item 84.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) CEMS Requirements:

(1) Owners/operators of combustion installations subject to paragraphs (a)(1), (2) and (5) of this section:

(i) which have a CEMS in place, or are in the process of procuring or installing a CEMS, shall submit for department approval a preliminary CEMS monitoring plan, as defined in section 227-2.2(b)(12) of this Subpart, as part of the compliance plan required under section

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227-2.3(a)(1) of this Subpart; or

(ii) which are not covered under subparagraph (i) of this paragraph, shall submit for department approval a preliminary CEMS monitoring plan, as defined in section 227-2.2(b) (12) of this Subpart, at least 180 days prior to equipment installation. The Department will notify the owner/operator of the acceptability of the plan within 60 days; or

(iii) which opt to petition for an equivalent monitoring plan, shall submit this plan to the department as part of the compliance plan.

(2) A CEMS certification protocol, as defined in section 227-2.2(b)(3), must be submitted at least 90 days prior to compliance stack testing. The location of and specifications for each instrument or device, as well as procedures for calibration, operation, data evaluation and data reporting, must be approved by the department. The department will notify the owner/operator of the acceptability of the protocol within 60 days.

Within 90 days of NYSDEC approval of the CEM Certification Performance Test, Co-Op City shall submit a CEMS Quality Assurance Plan to NYSDEC. This plan is subject to NYSDEC approval.

The quarterly written CEM report must include "The results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent)."

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 85: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(2)

Item 85.1:

The Compliance Certification activity will be performed for:



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Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

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

Item 85.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(2)A CEMS certification protocol, as defined in section 227-2.2(b)(3), must be submitted at least 90 days prior to compliance stack testing. The location of and specifications for each instrument or device, as well as procedures for calibration, operation, data evaluation and data reporting, must be approved by the department. The department will notify the owner/operator of the acceptability of the protocol within 60 days.

Within 90 days of NYSDEC approval of the CEM Certification Performance Test, Co-Op City shall submit a CEMSs Quality Assurance Plan to NYSDEC. This plan is subject to NYSDEC approval.

The quarterly written CEM report must include "The results of the quarterly monitoring performance audit, reported in the format of 40 CFR 60 Appendix F (or equivalent)."

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 86: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(3)

Item 86.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

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

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Item 86.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(b) CEMS Requirements:

(3) CEMS monitoring requirements: Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) of this section shall install, calibrate, maintain, and operate a CEMS for measuring NO_x at locations approved in the final CEMS protocol under paragraph (2) of this subdivision, and shall record the output of each such system. The following procedures and test methods shall be used for determining compliance with the appropriate oxides of nitrogen limit under section 227-2.4 of this Subpart:

(i) The owner/operator of a combustion installation subject to paragraphs (a)(1) and (2) of this section shall:

(a) calculate all 24-hour daily heat input weighted average NO_x emission rates from block hourly arithmetic emission rate averages calculated using data points generated by the CEMS and expressed in terms of pounds of NO_x per million Btu;

(b) demonstrate compliance with the appropriate emission limit under section 227-2.4 by using a CEMS for measuring NO_x and calculating a 24-hour daily heat input weighted average NO_x emission rate using 40 CFR Part 60, Appendix A, Method 19. A 30 day rolling heat input weighted average may be used to demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart from October 1 to April 30;

(c) determine the 24-hour daily heat input weighted average NO_x emission rate based on the arithmetic average of the block hourly heat input weighted average emission rates during each 24 hour daily period from 12:00 am to 12:00 am the following day using CEMS data. The block hourly heat input weighted average emission rate shall be calculated for each one hour period starting with the period 12:00 am to 1:00 am and continuing through until the last period 11:00 pm to 12:00

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am; or, starting with the period 12:00 pm to 1:00 pm and continuing through the last period 11:00 am to 12:00 pm. The 30 day rolling heat input weighted average shall be the average of the 24 hour daily heat input weighted NOx emission rates for a 30 day period; and

(d) use at least three data points, collected at 15 minute intervals, to calculate the block hourly heat input weighted average emission rates to be used in calculating the 24 hour daily heat input weighted average NOx emission rate.

(iii) At a minimum, valid CEMS data shall be obtained for 75 percent of the hours per day for 75 percent of the days of the month and 90 percent of the days of the quarter that the affected facility is operating.

(iv) All valid CEMS data shall be used in calculating emission rates even if the minimum data requirements of subparagraph (iii) of this paragraph are not met.

(v) The procedures under 40 CFR 60.13(d),(e) and (f); 40 CFR Part 60, Appendix B, Performance Specification 2; and any additional criteria specified by the Department shall be followed for the installation, evaluation, and operation of the CEMS.

(vi) Quarterly accuracy and daily calibration drift tests shall be performed in accordance with 40 CFR Part 60, Appendix F and any additional data requirements determined appropriate by the Department.

(vii) When NOx emission data are not obtained because of CEMS breakdowns and repairs, emission data shall be obtained by using the 90th percentile value of all CEMS NOx emission data collected over the last 180 days to provide as necessary valid emission data for the minimum requirements in subparagraph (iii) of this paragraph.

Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

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Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 87: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.6(b)(4)

Item 87.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Regulated Contaminant(s):

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

Item 87.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners/operators of combustion installations subject to paragraphs (a)(1), (2) and (5) of this section:

(4) CEMS recordkeeping and reporting requirements:

(i) Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) of this section who applies for permit(s) to construct under section 227-2.3(a)(1) must notify the department of planned initial start-up dates.

(ii) Protocols, reports, summaries, and any other information required to be submitted to the Department under provisions of this Subpart shall be sent as follows:

('a') One copy to the Division of Air Resources, New York State Department of Environmental Conservation, 625 Broadway, Albany, New York 12233; and

('b') One copy to the regional air pollution control engineer at the appropriate regional office of the Department.

(iii) A file of the emission, monitoring, and operating parameter records or measurements required by this Subpart, quarterly and annual summaries, and any additional parameters required by the department as a

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result of new technology or information, must be maintained for at least three years, and made available upon request by the Department within ten working days from receipt of the request.

(iv) Any person who owns or operates a combustion installation subject to paragraphs paragraphs (a)(1), (2) and (5) of this section, will, following each calendar quarter, tabulate and summarize applicable emission, monitoring, and operating parameter measurements (including but not limited to type and amount of fuel burned daily, heat content of the fuel, total heating value of the fuel consumed daily, the actual NO_x emission rate, the allowable NO_x emission rate and the summation of the units included in the averaging scheme), and any of the following operating parameters which are applicable, recorded during the preceding three months. Such quarterly summaries must be submitted within 30 days after the end of each calendar quarter in either a format complying with 227-3.15 or a format acceptable to the department, and include at a minimum:

(a) the average NO_x emission rates as specified under paragraph (b)(3). (For units covered under paragraphs paragraphs (a)(1) and (2) of this section, block hourly average emission rates are to be recorded and tabulated, but do not need to be included in the quarterly summaries);

(b) identification of the operating days where NO_x emissions data is not included in the calculation of the average emission rate and the reasons for not including that data; and

(c) the results of daily NO_x continuous emission monitor drift tests and accuracy assessments as required by 40 CFR Part 60, Appendix F and any additional data quality requirements determined appropriate by the department.

(v) Any person who owns or operates a combustion installation subject to paragraphs (a)(1), (2) and (5) shall submit the initial compliance test data, the performance evaluation of the CEMS found in 40 CFR Part 60, Appendix B, and the maximum demonstrated unit load.



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Manufacturer Name/Model Number: SERVOMEX INC., MODEL 1410

Reference Test Method: METHOD 19 APP A

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC

MEAN)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 88: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 88.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Process: 005 Emission Source: 00003

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 88.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

TO LIMIT SO2 EMISSIONS, NO PERSON SHALL SELL, OFFER FOR SALE, PURCHASE OR USE # 6 RESIDUAL FUEL OIL WHICH CONTAINS SULFUR IN A QUANTITY EXCEEDING MAXIMUM PERCENT OF SULFUR BY WEIGHT OF 0.30. THE FACILITY KEEPS RECORDS ON FILE AS DELIVERIES ARE RECEIVED.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Reference Test Method: ASTM D-4294

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 89: Compliance Certification



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Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-1.2(a)(1)

Item 89.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003
Process: 005 Emission Source: 00003

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

Item 89.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Riverbay Corporation would rely on "continuous opacity monitoring (COMS) ...as a surrogate indication of compliance with particulates emission limit." The particulates emissions may not exceed 0.1 pounds per million BTU's.

Particulate emission limit of 37.1 pounds per hour for Boiler 00003 which has a heating capacity of 377 mm Btu/hr (exceeding 250 mm Btu/hr) and fires fuel oil # 6 during Process 005.

Manufacturer Name/Model Number: CEM
Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.1 pounds per million Btus
Reference Test Method: Method 5/Method 17
Monitoring Frequency: CONTINUOUS
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 0 days after the reporting period.
The initial report is due 3/30/02.
Subsequent reports are due every 3 calendar month(s).

Condition 90: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.

Item 90.1:



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The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003
Process: 005 Emission Source: 00003

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 90.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CONTINUOUS MONITORING OF NOX EMISSION
FOR BOILER NO. 00003. THE NOX EMISSIONS
MAY NOT EXCEED 0.25 LBS/MM BTU. THE
AVERAGING METHOD TO BE USED IS THE 24
HOUR AVERAGE AND IT TO BE CALCULATED ON A
DAILY BASIS.

Manufacturer Name/Model Number: SERVOMEX MODEL 1410

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: METHOD 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC
MEAN)

Reporting Requirements: QUARTERLY (ANNIVERSARY)

Initial Report Due: 07/03/2002 for the period 03/04/2002 through 06/03/2002

Condition 91: Compliance Certification

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 231-2.

Item 91.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003
Process: 005 Emission Source: 00003

Item 91.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Fuel oil use in Boiler 00003 shall not exceed 22.45
million gallons per year of # 6 residual oil or, a



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quantity of natural gas with an equivalent BTU heating value as 22.45 million gal/yr (based on a daily rolling total).

Parameter Monitored: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Upper Permit Limit: 22,450,000 gallons per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 92: Compliance Certification
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable Federal Requirement: 6NYCRR 227-2.

Item 92.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003
Process: 006 Emission Source: 00003

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 92.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CONTINUOUS MONITORING OF NOX EMISSION FOR BOILER NO. 00003. THE NOX EMISSIONS MAY NOT EXCEED 0.25 LBS/MM BTU. THE AVERAGING METHOD TO BE USED IS THE 24 HOUR AVERAGE AND IT IS TO BE CALCULATED ON A DAILY BASIS.

Manufacturer Name/Model Number: SERVOMEX MODEL 1410

Upper Permit Limit: 0.25 pounds per million Btus

Reference Test Method: METHOD 7E

Monitoring Frequency: CONTINUOUS

Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC MEAN)

Reporting Requirements: QUARTERLY (ANNIVERSARY)

Initial Report Due: 07/03/2002 for the period 03/04/2002 through 06/03/2002



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.

**Condition 93: Unavoidable noncompliance and violations
Effective between the dates of 03/04/2002 and 03/03/2007**

Applicable State Requirement: 6NYCRR 201-1.4

Item 93.1:

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



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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 94: General Provisions

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 201-5.

Item 94.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 94.2:

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,



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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.

Item 94.3:

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.

Condition 95: Contaminant List

Effective between the dates of 03/04/2002 and 03/03/2007

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

Item 95.1:

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

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Condition 96: Air pollution prohibited

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 211.2

Item 96.1:

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.

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

Condition 97: Compliance Demonstration

Effective between the dates of 03/04/2002 and 03/03/2007

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Applicable State Requirement: 6NYCRR 227-1.4

Item 97.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 97.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Continuous Opacity Monitoring for Boiler 00001 as a surrogate indication of compliance with particulates emission limits. The particulate emission limit will not exceed 0.1 pounds per million Btus for an averaging method of 1-hour average for singular boilers or multiple boilers ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

The owner or operator of a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM Btu/hr shall install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and recording opacity.

Each owner or operator required to operate a Continuous Opacity Monitoring System (COMS) in accordance with subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall include the following minimum information:

(1) The magnitude, date and time of each six minute block average during which the average opacity of emissions exceeds 20 percent, except for one six minute block average per hour not to exceed 27 percent;

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- (2) For each period of excess emission, specific identification of the cause and corrective action taken;
- (3) Identification of all periods of COMS downtime, including the date, time and duration of each inoperable period, and the cause and corrective action for each COMS downtime period;
- (4) The total time in which the COMS are required to record data during the reporting period;
- (5) The total number of exceedences and the duration of exceedences expressed as a percentage of [operating time] the total time in which the COMS are required to record data; and
- (6) Such other things as the Department may deem necessary, proper or desirable in order to enforce Article 19 of the Environmental Conservation Law or the rules promulgated thereunder.

Manufacturer Name/Model Number: LEAR SIEGLER / MC 2000
Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40 CFR 60 Appendix B
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 98: Compliance Demonstration
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 98.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 98.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)



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Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM BTU/hr shall instal and operate in accordance with manufacturer's instructions, instruments satisfying the criteria in 40 CFR 75 Appendix B, or approved by the commissioner on an individual case basis, for continously monitoring and recording smoke, and when either sulfur dioxide and/or nitrogen oxide continous monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. When gas is the only fuel burned, monitoring and recording of smoke is not required.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1400B4

Parameter Monitored: CARBON DIOXIDE

Lower Permit Limit: 99 percent

Reference Test Method: 40 CFR 75 Appendix A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 99: Compliance Demonstration
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 99.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Item 99.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM BTU/hr shall instal and operate in accordance with manufacturer's instructions, instruments satisfying the criteria in 40 CFR 75 Appendix B, or approved by the commissioner on an individual case basis, for continously monitoring and recording smoke, and when either sulfur dioxide and/or nitrogen oxide continous monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations



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at all times that the combustion installation is in service. When gas is the only fuel burned, monitoring and recording of smoke is not required.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1400B4

Parameter Monitored: OXYGEN O2

Lower Permit Limit: 99 percent

Reference Test Method: 40 CFR 75 Appendix A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 100: Compliance Demonstration

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 227-1.4

Item 100.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Item 100.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Continuous Opacity Monitoring for Boiler 00002 as a surrogate indication of compliance with particulates emission limits. The particulate emission limit will not exceed 0.1 pounds per million Btus for an averaging method of 1-hour average for singular boilers or multiple boilers ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

The owner or operator of a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM Btu/hr shall install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and recording opacity.

Each owner or operator required to operate a Continuous Opacity Monitoring System (COMS) in accordance with



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subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall inclu

Manufacturer Name/Model Number: LEAR SIEGLER / MC 2000

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR Appendix B

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/29/02.

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

Condition 101: Compliance Demonstration

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 101.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Item 101.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM BTU/hr shall instal and operate in accordance with manufacturer's instructions, instruments satisfying the criteria in 40 CFR 75 Appendix B, or approved by the commissioner on an individual case basis, for continously monitoring and recording smoke, and when either sulfur dioxide and/or nitrogen oxide continuous monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. When gas is the only fuel burned, monitoring and



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Permit ID: 2-6003-00038/00008

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recording of smoke is not required.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1400B4

Parameter Monitored: CARBON DIOXIDE

Lower Permit Limit: 99 percent

Reference Test Method: 40 CFR 75 Appendix A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 102: Compliance Demonstration

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 102.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002 Emission Point: 00002

Item 102.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM BTU/hr shall instal and operate in accordance with manufacturer's instructions, instruments satisfying the criteria in 40 CFR 75 Appendix B, or approved by the commissioner on an individual case basis, for continously monitoring and recording smoke, and when either sulfur dioxide and/or nitrogen oxide continous monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. When gas is the only fuel burned, monitoring and recording of smoke is not required.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1400B4

Parameter Monitored: OXYGEN O₂

Lower Permit Limit: 99 percent

Reference Test Method: 40 CFR 75 Appendix A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 103: Compliance Demonstration



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Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 227-1.4

Item 103.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Item 103.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Continuous Opacity Monitoring for Boiler 00003 as a surrogate indication of compliance with particulates emission limits. The particulate emission limit will not exceed 0.1 pounds per million Btus for an averaging method of 1-hour average for singular boilers or multiple boilers ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

The owner or operator of a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM Btu/hr shall install, operate in accordance with manufacturer's instructions, and properly maintain, accurate instruments satisfying the criteria in appendix B of title 40, part 60 of the Code of Federal Regulations, or approved by the commissioner on an individual case basis, for continuously monitoring and recording opacity.

Each owner or operator required to operate a Continuous Opacity Monitoring System (COMS) in accordance with subsection 227-1.4(a) shall submit an accurate excess emissions and monitoring system performance report to the Department for each calendar year quarter. All reports shall be certified by a responsible corporate official as true, accurate and complete and postmarked by the 60th day following the end of each calendar quarter. The quarterly excess emissions report shall be submitted in a form acceptable to the Department and shall inclu

Manufacturer Name/Model Number: LEAR SIEGLER / MC 2000

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR Appendix B



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Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038

Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/29/02.
Subsequent reports are due every 3 calendar month(s).

Condition 104: Compliance Demonstration
Effective between the dates of 03/04/2002 and 03/03/2007

Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 104.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Item 104.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM BTU/hr shall instal and operate in accordance with manufacturer's instructions, instruments satisfying the criteria in 40 CFR 75 Appendix B, or approved by the commissioner on an individual case basis, for continously monitoring and recording smoke, and when either sulfur dioxide and/or nitrogen oxide continous monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. When gas is the only fuel burned, monitoring and recording of smoke is not required.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1400B4

Parameter Monitored: CARBON DIOXIDE

Lower Permit Limit: 99 percent

Reference Test Method: 40 CFR 75 Appendix A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 105: Compliance Demonstration
Effective between the dates of 03/04/2002 and 03/03/2007

New York State Department of Environmental Conservation

Permit ID: 2-6003-00038/00008

Facility DEC ID: 2600300038



Applicable State Requirement: 6NYCRR 227-1.4(a)

Item 105.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00003 Emission Point: 00003

Item 105.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Any person who owns a stationary combustion installation (excluding gas turbines), with a maximum operating total heat input exceeding 250 MM BTU/hr shall instal and operate in accordance with manufacturer's instructions, instruments satisfying the criteria in 40 CFR 75 Appendix B, or approved by the commissioner on an individual case basis, for continously monitoring and recording smoke, and when either sulfur dioxide and/or nitrogen oxide continous monitoring and recording either the percent oxygen or carbon dioxide in the flue gases from such installations at all times that the combustion installation is in service. When gas is the only fuel burned, monitoring and recording of smoke is not required.

Manufacturer Name/Model Number: SERVOMEX, INC., Model 1400B4

Parameter Monitored: OXYGEN O2

Lower Permit Limit: 99 percent

Reference Test Method: 40 CFR 75 Appendix A

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY