



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6006-00011/00003
Mod 0 Effective Date: 04/16/2003 Expiration Date: No expiration date.
Mod 1 Effective Date: 06/22/2005 Expiration Date: No expiration date.
Mod 2 Effective Date: 01/17/2008 Expiration Date: No expiration date.

Permit Issued To: STATE UNIVERSITY OF NEW YORK
STATE UNIVERSITY PLAZA
381 BROADWAY
ALBANY, NY 12246

Contact: WILLIAM RUEGER
SUNY MARITIME COLLEGE
6 PENNYFIELD AVE
BRONX, NY 10465
(718) 409-7320

Facility: MARITIME COLLEGE-FORT SCHUYLER
6 PENNYFIELD AVE
BRONX, NY 10465

Contact: WILLIAM RUEGER
SUNY MARITIME COLLEGE
6 PENNYFIELD AVE
BRONX, NY 10465
(718) 409-7320

Description:
The Central Heating Plant of Maritime College consists of four (4) boilers exhausting through a common stack. The boilers provide heat and hot water to various buildings of the campus. Two identical boilers (#1&2) rated at 24.25 mmBtu/hr each were installed in 1962 and 1966. In 1998 two very old boilers (1930's) were replaced with two efficient new boilers, one rated at 15.2 and the other 37.9 mmBtu/hr.

This permit modification is issued to address the replacement of one old 24.25 mmBtu/hr boiler (Emission Source B0002) with a new 10.2 mmBtu/hr boiler (Emission Source S0002).

The facility must comply with the quarterly opacity audit requirements in accordance with the NYSDEC Consent Order #R2-20020809-242 executed on 2/18/2005 along with other applicable federal, state, and compliance monitoring requirements listed in a permit.



The facility NOx emissions are capped at 22.5 tons per year.

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
DIVISION OF ENVIRONMENTAL PERMITS
ONE HUNTERS POINT PLAZA, 47-40 21ST STREET
LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ___ / ___ /



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2
HEADQUARTERS
Submission of application for permit modification or renewal-REGION 2
HEADQUARTERS

New York State Department of Environmental Conservation
Facility DEC ID: 2600600011





DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 2: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 2.1:

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 2.2:

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 2.3:

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

Condition 1: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 1.1:

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

Condition 2-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 2-1.1:

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

Item 2-1.2:

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

Item 2-1.3:

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



submitted prior to actual transfer of ownership.

Condition 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6NYCRR 621.13

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

Condition 2-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:

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

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

Condition 4: Permit Modifications, Suspensions and Revocations by the Department

Applicable State Requirement: 6NYCRR 621.14

Item 4.1:

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

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;



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

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

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

Condition 2-3: Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 2-3.1:

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

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



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: STATE UNIVERSITY OF NEW YORK
STATE UNIVERSITY PLAZA
381 BROADWAY
ALBANY, NY 12246

Facility: MARITIME COLLEGE-FORT SCHUYLER
6 PENNYFIELD AVE
BRONX, NY 10465

Authorized Activity By Standard Industrial Classification Code:
8221 - COLLEGES AND UNIVERSITIES, NEC

Mod 0 Permit Effective Date: 04/16/2003
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 06/22/2005
date.

Permit Expiration Date: No expiration

Mod 2 Permit Effective Date: 01/17/2008
date.

Permit Expiration Date: No expiration



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 2
HEADQUARTERS
Submission of application for permit modification or renewal-REGION 2
HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

2-1 6NYCRR 201-7.2: Facility Permissible Emissions
*2-2 6NYCRR 201-7.2: Capping Monitoring Condition
2 6NYCRR 202-1.3: Acceptable procedures
3 6NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
4 6NYCRR 225-1.2(a)(2): Compliance Demonstration
5 6NYCRR 225-1.2(a)(2): Compliance Demonstration
6 6NYCRR 227-1.3(a): Compliance Demonstration
7 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification - if
a COM is used
1-1 40CFR 60.13, NSPS Subpart A: Compliance Demonstration

Emission Unit Level

EU=U-00001

8 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
9 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration

EU=U-00001,Proc=P02

10 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration

EU=U-00001,Proc=P04

11 40CFR 60.48c(f)(2), NSPS Subpart Dc: Compliance Demonstration

EU=U-00001,EP=EP001

12 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
13 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
14 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
15 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
16 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration

EU=U-00001,EP=EP001,Proc=P04

2-3 40CFR 60.48c(c), NSPS Subpart Dc: Compliance Demonstration



STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 18 ECL 19-0301: Contaminant List
- 19 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 20 6NYCRR 201-5: Emission Unit Definition
- 21 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 22 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 23 6NYCRR 201-5: Process Definition By Emission Unit

EU=U-00001,EP=EP001,Proc=P04

- 24 6NYCRR 227-1.2(a)(2): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 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 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 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 H: 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 I: 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 required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: Required Emission Tests - 6 NYCRR 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 K: 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 L: 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 M: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS



The following conditions are federally enforceable.

Condition 2-1: Facility Permissible Emissions
Effective between the dates of 01/17/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.2

Item 2-1.1:

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

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

CAS No: 0NY210-00-0 (From Mod 2) PTE: 45,000 pounds
per year

Name: OXIDES OF NITROGEN

Condition 2-2: Capping Monitoring Condition
Effective between the dates of 01/17/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.2

Item 2-2.1:

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

6NYCRR 201-6

6NYCRR 231-2

Item 2-2.2:

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

Item 2-2.3:

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

Item 2-2.4:

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

Item 2-2.5:



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

Item 2-2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2-2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The NOx (Oxides of Nitrogen) emissions are capped at 22.5 tons per year.

The owner or operator shall maintain a record of the quantity of each fuel fired at the facility. Also, the owner or operator shall calculate (based on the fuel quantities) using the following formula:

$R(0.075) + D(0.02) + G(100) + E(0.44) + N(3400) < 45,000$
lbs/yr of Oxides of Nitrogen emissions.

Where: R = 12-month rolling total of residual oil fired
(from boilers) in gals/yr

D = 12-month rolling total of distillate
oil fired (from boilers) in gals/yr

G = 12-month rolling total of natural gas
fired (from boilers) in MMSCF/yr

E = 12-month rolling total of diesel fuel
fired (from engines) in gals/yr

N = 12-month rolling total of natural gas
fired (from engines) in MMSCF/yr

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 22.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 2:

Acceptable procedures

Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 202-1.3



Item 2.1:

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

Condition 3: Acceptable procedures - Stack test report submittal
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 202-1.3

Item 3.1:

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

Condition 4: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)

Item 4.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.2 percent by weight

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 5: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225-1.2(a)(2)

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:

Compliance Demonstration shall include the following monitoring:



Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any residual oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.3 percent by weight

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 6: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date

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

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

Compliance Demonstration 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 in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 7: Date of Construction Notification - if a COM is used
Effective between the dates of 04/16/2003 and Permit Expiration Date

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

Item 7.1:

Any owner or operator subject to this part shall furnish the Administrator with the following information:



- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date, if a continuous opacity monitor is not being used at the facility; and
- 7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, post marked not less than 30 days prior to the performance test.

Condition 1-1: Compliance Demonstration
Effective between the dates of 06/22/2005 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 1-1.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1-1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Opacity audits shall be conducted on a quarterly basis, for the purpose of checking the accuracy of the monitoring system. Said audits shall include optical alignment assessment, optical surface dust accumulation, assessment, zero and upscale response assessment, zero compensation assessment, stack exit correlation error assessment, and calibration error assessment. Zero alignment assessment and attenuator stability should be checked on an annual basis.

This condition is included in order to address the quarterly opacity audit requirements in accordance with the NYSDEC Consent Order #R2-20020809-242 executed on



2/18/2005.

Monitoring Frequency: QUARTERLY
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 60 days after the reporting period.
The initial report is due 8/29/2005.
Subsequent reports are due every 3 calendar month(s).

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

Condition 8: Exemption from the averaging period.
Effective between the dates of 04/16/2003 and Permit Expiration Date

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

Item 8.1:

This Condition applies to Emission Unit: U-00001

Item 8.2:

Compliance with emission limits and/or fuel oil sulfur limitations shall be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

Condition 9: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date

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

Item 9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date



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

Item 10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001
Process: P02

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

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 11: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.48c(f)(2), NSPS Subpart Dc

Item 11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001
Process: P04

Item 11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of the affected facility shall maintain records containing the following data:

- i) name of the residual oil supplier;



ii) the location of the oil when the sample was drawn for analysis of the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil storage at the oil supplier's or oil refiner's facility, or other location;

iii) the sulfur content of the oil from which the shipment came (or of the shipment itself); and

iv) the method used to determine the sulfur content of the oil.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 12: Recordkeeping requirements.
Effective between the dates of 04/16/2003 and Permit Expiration Date

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

Item 12.1:

This Condition applies to Emission Unit: U-00001 Emission Point: EP001

Item 12.2:

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

Condition 13: Performance testing timeline.
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.8(a), NSPS Subpart A

Item 13.1:

This Condition applies to Emission Unit: U-00001 Emission Point: EP001

Item 13.2:

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 14: Opacity standard compliance testing.
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 14.1:

This Condition applies to Emission Unit: U-00001 Emission Point: EP001



Item 14.2:

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

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A or this Part 40 CFR 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

Condition 15: Monitoring requirements.
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 15.1:

This Condition applies to Emission Unit: U-00001 Emission Point: EP001

Item 15.2:

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

Condition 16: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.43c(c), NSPS Subpart Dc

Item 16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: EP001

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

Item 16.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the initial performance test is completed or required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, wood or oil and has a heat input capacity of 30 million BTU per hour or greater shall cause to be discharged into the



atmosphere from an affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

Parameter Monitored: OPACITY

Upper Permit Limit: 20.0 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-3: Compliance Demonstration
Effective between the dates of 01/17/2008 and Permit Expiration Date

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

Item 2-3.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Emission Point: EP001

Process: P04

Item 2-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each coal-fired, oil-fired, or wood-fired affected facility subject to the opacity limits under 40 CFR 60.43c(c) shall submit excess emission reports for any excess emissions from the affected facility that occur during the reporting period.

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2008.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 18: Contaminant List

Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 18.1:

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

Condition 19: Unavoidable noncompliance and violations

Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-1.4

Item 19.1:

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

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

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



describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded 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 20: Emission Unit Definition
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 20.1(From Mod 2):

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

Emission Unit: U-00001

Emission Unit Description:

The emission unit consists of four (4) boilers. For three boilers the primary fuel is #4 oil and the secondary fuel is #2 oil. One old boiler (Emission Source B0002) is being replaced with a new 10.2 mmBtu/hr boiler (Emission Source S0002) burning #2 fuel oil only. All four boilers exhaust through a common stack.

Building(s): CHP

Condition 21: Air pollution prohibited
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 21.1:

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 22: Emission Point Definition By Emission Unit
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 22.1(From Mod 2):

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

Emission Unit: U-00001

Emission Point: EP001

Height (ft.): 96

Diameter (in.): 66

NYTMN (km.): 4517.8

NYTME (km.): 602.

Building: CHP

Condition 23: Process Definition By Emission Unit
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 23.1(From Mod 2):

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

Emission Unit: U-00001

Process: P02

Source Classification Code: 1-03-005-02

Process Description: Burning distillate #2 fuel oil in boilers.

Emission Source/Control: B0001 - Combustion

Design Capacity: 24.25 million Btu per hour

Emission Source/Control: B0003 - Combustion

Design Capacity: 15.2 million Btu per hour

Emission Source/Control: B0004 - Combustion

Design Capacity: 37.9 million Btu per hour

Emission Source/Control: S0002 - Combustion

Design Capacity: 10.2 million Btu per hour

Item 23.2(From Mod 2):

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

Emission Unit: U-00001

Process: P04

Source Classification Code: 1-03-004-02

Process Description: Burning residual fuel oil in boilers.

Emission Source/Control: B0001 - Combustion

Design Capacity: 24.25 million Btu per hour



Emission Source/Control: B0003 - Combustion
Design Capacity: 15.2 million Btu per hour

Emission Source/Control: B0004 - Combustion
Design Capacity: 37.9 million Btu per hour

Condition 24: Compliance Demonstration
Effective between the dates of 04/16/2003 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 227-1.2(a)(2)

Item 24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: EP001
Process: P04

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

Item 24.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a boiler or combination of
boilers (connected to the same emission point) with a
maximum heat input exceeding 50 mmBtu per hour but no
greater than 250 mmBtu per hour firing oil, other than
distillate oil.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: Method 5 / Method 17

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

New York State Department of Environmental Conservation

Permit ID: 2-6006-00011/00003

Facility DEC ID: 2600600011

