

New York State Department of Environmental Conservation
Facility DEC ID: 2610700141



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6107-00141/00001
Effective Date: 09/06/2007 Expiration Date: 09/05/2012

Permit Issued To: WARBASSE HOUSES INC
2800 WEST 5TH ST
BROOKLYN, NY 11224-4626

Contact: ROCHELLE CAPTAN
AMALGAMATED WARBASSE HOUSES INC
2800 WEST 5TH ST
BROOKLYN, NY 11224
(718) 266-9000

Facility: WARBASSE HOUSES & POWER PLANT
2701 WEST 6TH ST
BROOKLYN, NY 11224

Contact: ROCHELLE CAPTAN
AMALGAMATED WARBASSE HOUSES INC
2800 WEST 5TH ST
BROOKLYN, NY 11224
(718) 266-9000

Description:

The Warbasse Cogeneration facility consists of two high-pressure steam boilers. One boiler fires natural gas or No. 6 (residual oil) and the other boiler fires natural gas or No. 2 distillate oil. Two diesel-fired internal combustion engines provide emergency power.

The facility supplies domestic hot water, chilled water and electricity to the 8,000 residents of the affiliated Amalgamated Warbasse Housing complex.

This modification is for renewal of Air Title V Facility, and deletion of turbine2 and turbine3 (combustion source OCT02 and OCT03) from the Permit.

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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 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 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 application 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.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:



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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 4: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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 4.2:

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 4.3:

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

Item 5.1:

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

Item 6.1:

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;

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

Item 7.1:

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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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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2800 WEST 5TH ST
BROOKLYN, NY 11224-4626

Facility: **WARBASSE HOUSES & POWER PLANT**
2701 WEST 6TH ST
BROOKLYN, NY 11224

Authorized Activity By Standard Industrial Classification Code:
4931 - ELEC & OTHER SERVICES COMBINED

Permit Effective Date: 09/06/2007

Permit Expiration Date: 09/05/2012



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-6.5(g): Non Applicable requirements
- 25 6NYCRR 201-7: Facility Permissible Emissions
- *26 6NYCRR 201-7: Capping Monitoring Condition
- 27 6NYCRR 225.1(a)(3): Compliance Certification
- 28 6NYCRR 225.1(a)(3): Compliance Certification
- 29 6NYCRR 225.1(a)(3): Compliance Certification
- 30 6NYCRR 225.7(a): Compliance Certification
- 31 6NYCRR 227-1.3(a): Compliance Certification
- 32 6NYCRR 227-2.4(b)(1): Compliance Certification
- 33 6NYCRR 227-2.6(b)(1): Compliance Certification
- 34 6NYCRR 227-2.6(b)(2): Compliance Certification
- 35 6NYCRR 231-2: Compliance Certification
- 36 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 37 40CFR 60.7(f), NSPS Subpart A: Compliance Certification
- 38 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 39 40CFR 60.333(b), NSPS Subpart GG: Compliance Certification



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Emission Unit Level

40 6NYCRR 201-6: Emission Point Definition By Emission Unit

41 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-FAC01

*42 6NYCRR 201-7: Capping Monitoring Condition

43 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification -
if a COM is used.

44 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.

45 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report

46 40CFR 60.8(b), NSPS Subpart A: Performance test methods.

47 40CFR 60.8(c), NSPS Subpart A: Required performance test information.

48 40CFR 60.8(d), NSPS Subpart A: Prior notice.

49 40CFR 60.13, NSPS Subpart A: Monitoring requirements.

50 40CFR 60.46b(d), NSPS Subpart Db: Compliance Determination -
Particulate Matter and Opacity

51 40CFR 60.48b(e), NSPS Subpart Db: Continuous Monitoring Systems

52 40CFR 60.49b(a), NSPS Subpart Db: Compliance Certification

53 40CFR 60.49b(b), NSPS Subpart Db: Compliance Certification

54 40CFR 60.49b(d), NSPS Subpart Db: Compliance Certification

55 40CFR 60.49b(g), NSPS Subpart Db: Compliance Certification

56 40CFR 60.49b(h), NSPS Subpart Db: Compliance Certification

57 40CFR 60.49b(i), NSPS Subpart Db: Compliance Certification

58 40CFR 60.49b(r), NSPS Subpart Db: Compliance Certification

EU=U-FAC01,Proc=P0A,ES=0BL04

59 40CFR 60.44b(l)(1), NSPS Subpart Db: Compliance Certification

EU=U-FAC01,Proc=P0B,ES=0BL04

60 6NYCRR 227.2(b)(1): Compliance Certification

61 40CFR 60.43b(f), NSPS Subpart Db: Compliance Certification

62 40CFR 60.44b(l)(1), NSPS Subpart Db: Compliance Certification

EU=U-FAC01,EP=FAC01

63 6NYCRR 227-1.3(a): Compliance Certification

64 6NYCRR 227-1.4(b): Compliance Certification

65 40CFR 60.48b(f), NSPS Subpart Db: Use of alternative methods for
measuring NOx during CEMS downtime

EU=U-FAC02

*66 6NYCRR 201-7: Capping Monitoring Condition

67 40CFR 60.13(c), NSPS Subpart A: Compliance Certification

EU=U-FAC02,Proc=P03,ES=0BL03

68 6NYCRR 227-2.5(b): Compliance Certification

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EU=U-FAC02,Proc=P07

70 6NYCRR 227-2.5(b): Compliance Certification

EU=U-FAC02,Proc=P07,ES=0BL03

69 6NYCRR 227-2.5(b): Compliance Certification

71 6NYCRR 227.2(b)(1): Compliance Certification

EU=U-FAC02,EP=FAC02

72 6NYCRR 227-1.3(a): Compliance Certification

73 6NYCRR 227-1.4(b): Compliance Certification

EU=U-FAC03,EP=FAC03,Proc=P05,ES=GEN01

74 6NYCRR 201-6: Compliance Certification

EU=U-FAC04,EP=FAC04,Proc=P06,ES=GEN02

75 6NYCRR 201-6: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

76 ECL 19-0301: Contaminant List

77 6NYCRR 201-1.4: Unavoidable noncompliance and violations

78 6NYCRR 211.2: Air pollution prohibited

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to



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Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6NYCRR Part 201-6.5(a)(5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in

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order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

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

Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)

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

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

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

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

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Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit



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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

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

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

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

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

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 200.6

Item 1.1:

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit



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any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: Fees

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 3.1:

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

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii) The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

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

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

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable



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regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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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 Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 6: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

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 BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 7.1:
The Compliance Certification activity will be performed for the Facility.

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Emission statements shall be submitted on or before April
15th each year for emissions of the previous calendar
year.

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

Condition 8: Recordkeeping requirements



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Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 215

Item 9.1:

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

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

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

Condition 10: Maintenance of Equipment
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 200.7

Item 10.1:

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

Condition 11: Recycling and Salvage



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Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 12.1:

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

Condition 13: Exempt Sources - Proof of Eligibility

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 13.1:

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

Condition 14: Trivial Sources - Proof of Eligibility

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 14.1:

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



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Condition 15: Standard Requirement - Provide Information
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 15.1:

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

Condition 16: General Condition - Right to Inspect
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 16.1:

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

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 17: Standard Requirements - Progress Reports
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 17.1:

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

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance,



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and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 18: Off Permit Changes
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 18.1:

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

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

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

Condition 19: Required Emissions Tests
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 19.1:

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

Condition 20: Visible Emissions Limited
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 211.3



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Item 20.1:

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

Condition 21: Accidental release provisions.

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 68

Item 21.1:

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

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

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

Condition 22: Recycling and Emissions Reduction

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 22.1:

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

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



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Condition 23: Emission Unit Definition

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1:

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

Emission Unit: U-FAC01

Emission Unit Description:

High pressure steam boiler (OBL04) will be connected to emission unit UFAC01. Emission Unit UFAC01 vents to Emission point FAC01.

4/2007: All Combustion turbines retired.

Building(s): POWERHOUSE

Item 23.2:

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

Emission Unit: U-FAC02

Emission Unit Description:

Emission unit consists of Boiler 3,(OBL03), which vents to Emission Point FAC02.

4/2007: All Combustion turbines retired.

Building(s): POWERHOUSE

Item 23.3:

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

Emission Unit: U-FAC03

Emission Unit Description:

Consists of the following emission source emitting to the same emission point (FAC-03): Emission source ID GEN-01: 16 mmBtu/hr heat input diesel generator, used solely as an emergency generating unit.

Building(s): POWERHOUSE

Item 23.4:

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

Emission Unit: U-FAC04

Emission Unit Description:

Consists of the following emission source emitting to the same emission point (FAC-04): Emission source ID GEN-02: 16 mmbtu/hr heat input diesel generator, used solely as an emergency generating unit.



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Building(s): POWERHOUSE

Condition 24: Non Applicable requirements
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 24.1:

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

Condition 25: Facility Permissible Emissions
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 25.1:

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 PTE: 190,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 26: Capping Monitoring Condition
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 26.1:

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

6NYCRR 231-2

Item 26.2:

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

Item 26.3:

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



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hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 26.4:

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 26.5:

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 26.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-FAC01

Emission Unit: U-FAC02

Emission Unit: U-FAC03

Emission Unit: U-FAC04

Regulated Contaminant(s):

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

Item 26.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility wide NO_x emissions are capped at 55.86 tpy.
Warbasse Housed must calculate facility wide yearly NO_x emissions to demonstrate compliance with this limit on a monthly basis. Facility must maintain records onsite for a minimum of five years, and submit a summary of report to the Department.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 55.86 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 27: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 225.1(a)(3)

Item 27.1:

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

Emission Unit: U-FAC01
Process: POB Emission Source: 0BL04

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Process POB:

No person will sell, offer for sale, purchase or use any
distillate 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: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 28: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 225.1(a)(3)

Item 28.1:

The Compliance Certification activity will be performed for the facility:

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The Compliance Certification applies to:

Emission Unit: U-FAC02
Process: P07

Item 28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Process P07:

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: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.28 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 29: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 225.1(a)(3)

Item 29.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-FAC03
Process: P05

Emission Unit: U-FAC04
Process: P06

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC



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Monitoring Description:

Processes P05 and P06:

No person will sell, offer for sale, purchase or use any distillate oil fuel for 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: 0.05 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 30: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 225.7(a)

Item 30.1:

The Compliance Certification activity will be performed for the Facility.

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum, supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submitted to, the NYSDEC as per the stated reporting requirement.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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



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Condition 31: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 31.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-FAC03 Emission Point: FAC03

Emission Unit: U-FAC04 Emission Point: FAC04

Item 31.2:

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 (on a six minute block period) except for one six minute block 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.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack(s) or vent(s) once per day for visible emissions. his observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data mustbe recorded for each stack:
 - weather condition
 - was a plume observed?This logbook must be retained at the facility for five (5) years afterthe date of the last entry.
- 3) If the operator observes any visible emissions (other

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than steam - see below) two consecutive days, then the Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 32: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 227-2.4(b)(1)

Item 32.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-FAC01

Process: POA

Emission Source: OBL04

Emission Unit: U-FAC01



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Process: P0B

Emission Source: 0BL04

Regulated Contaminant(s):

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

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Boiler BL04:

Emissions of NOx limited to 0.30 lb/mmbtu (for a unit using gas/oil fuel type). Compliance via continuous emission monitoring under the provisions of section 227-2.6(a)(2) of subpart 227-2.

The owner or operator must demonstrate compliance with the emission limit by using a CEMS for measuring NOx and calculating a 24-hour daily heat input-weighted average NOx emission rate using 40 CFR part 60, Appendix A, Method 19. A 30-day rolling heat input-weighted average emission rate may be used to demonstrate compliance with the appropriate emission limit under section 227-2.4 of this Subpart from October 1st to April 30th.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 33: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 33.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-FAC01

Process: P0A

Emission Source: 0BL04

Emission Unit: U-FAC01

Process: P0B

Emission Source: 0BL04

Item 33.2:



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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The owner or operator of a source subject to paragraph (a)(1), (2), or (5) of this section that is obligated to submit a compliance plan required under section 227-2.3(a) and (b) of this Subpart must submit for department approval:

(i) a preliminary CEMS plan as part of the compliance plan if it has a CEMS in place, or are in the process of procuring or installing a CEMS;

(ii) a preliminary CEMS plan at least 180 days prior to equipment installation. The department will notify the owner or operator of the acceptability of the plan, at least 60 days prior to equipment installation if it is not covered under subparagraph (i) of this paragraph;
or

(iii) a proposed equivalent monitoring plan.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 34: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 34.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-FAC01

Process: P0A

Emission Source: 0BL04

Emission Unit: U-FAC01

Process: P0B

Emission Source: 0BL04

Regulated Contaminant(s):

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

Item 34.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a source subject to paragraph (a)(1), (2) or (5) of this section that is obligated to submit a compliance plan required under section 227-2.3(a) and (b) of this Subpart must submit a CEMS certification protocol at least 60 days prior to compliance 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 35: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 231-2

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE RECIPROCATING ENGINE- GENERATORS SHALL FIRE DISTILLATE OIL ONLY. TOTAL DISTILLATE OIL FIRED IN ALL FACILITY ENGINE-GENERATORS SHALL BE LIMITED TO 11,800 GALLONS PER YEAR ROLLED DAILY. EMERGENCY GENERATORS SHALL NOT OPERATE DURING FIRING OF GAS TURBINES EXCEPT DURING TESTING PERIODS NOT TO EXCEED 1 HOUR PER WEEK PER ENGINE AND SHALL FIRE #2 DISTILLATE OIL ONLY.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 11,800 gallons per year



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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 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 36: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

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:

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided



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in the report.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 37: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart 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: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least five years following the date of such measurements, reports, and records.

Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 38: Performance testing timeline.
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 38.1:

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



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the results of such tests, in a written report, to the Administrator.

Condition 39: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.333(b), NSPS Subpart GG

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Sulfur content of the distillate fuel oil and residual oil burned at the facility shall not exceed 0.05% by weight and 0.28% by weight respectively.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

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

Condition 40: Emission Point Definition By Emission Unit

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 40.1:

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

Emission Unit: U-FAC01

Emission Point: FAC01

Height (ft.): 108

Diameter (in.): 72

NYTMN (km.): 4492.923 NYTME (km.): 586.833

Item 40.2:

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



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Emission Unit: U-FAC02

Emission Point: FAC02

Height (ft.): 108

Diameter (in.): 72

NYTMN (km.): 4492.923 NYTME (km.): 586.833

Item 40.3:

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

Emission Unit: U-FAC03

Emission Point: FAC03

Height (ft.): 80

Diameter (in.): 16

NYTMN (km.): 4492.923 NYTME (km.): 586.833

Item 40.4:

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

Emission Unit: U-FAC04

Emission Point: FAC04

Height (ft.): 59

Diameter (in.): 16

NYTMN (km.): 4492.923 NYTME (km.): 586.833

Condition 41: Process Definition By Emission Unit

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 41.1:

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

Emission Unit: U-FAC01

Process: P0A

Source Classification Code: 1-02-006-04

Process Description:

Emission unit UFAC01, process P0A represents the new high-pressure boiler operating on natural gas. Maximum heat input while firing natural gas is 141.7 million Btu/hr.

Thruputs listed below are based on the boiler firing natural gas with a heating value of 1020 Btu/cubic foot.

The new high-pressure boiler will have an Emission Source ID of 0BL04.

Emission Source/Control: 0BL04 - Combustion

Design Capacity: 141.7 million Btu per hour



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Item 41.2:

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

Emission Unit: U-FAC01

Process: POB

Source Classification Code: 1-02-005-05

Process Description:

Emission unit UFAC01, process POB represents the new high-pressure boiler operating on No. 2 distillate oil. Maximum heat input while firing No. 2 distillate oil is 134.4 mmbtu/hr. Thruputs listed below are based on the boiler firing No. 2 distillate oil with a heating value of 140,000 btu/gallon. The new high-pressure boiler will have an emission source id of OBL04.

Emission Source/Control: OBL04 - Combustion

Design Capacity: 141.7 million Btu per hour

Item 41.3:

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

Emission Unit: U-FAC02

Process: P03

Source Classification Code: 1-01-006-01

Process Description: Boiler #3 burning gas.

Emission Source/Control: OBL03 - Combustion

Design Capacity: 130 million Btu per hour

Item 41.4:

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

Emission Unit: U-FAC02

Process: P07

Source Classification Code: 1-02-004-05

Process Description: Boiler #3 operating on No.6 Residual oil.

Emission Source/Control: OBL03 - Combustion

Design Capacity: 130 million Btu per hour

Item 41.5:

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

Emission Unit: U-FAC03

Process: P05

Source Classification Code: 2-01-001-07

Process Description:

Operating source: GEN-01, stationary reciprocating engine. For process P05, unit is fired on No. 2 fuel oil only. Emission unit is limited to 52 hours/year operation only during maintenance and testing .



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Emission Source/Control: GEN01 - Combustion

Design Capacity: 16 million Btu per hour

Item 41.6:

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

Emission Unit: U-FAC04

Process: P06

Source Classification Code: 2-01-001-07

Process Description:

Operating source: GEN-02, stationary reciprocating engine. For process P06, unit is fired on No. 2 fuel oil only. Emission unit is limited to 52 hours/year operation only during maintenance and testing.

Emission Source/Control: GEN02 - Combustion

Design Capacity: 16 million Btu per hour

Condition 42: Capping Monitoring Condition

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 42.1:

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

6NYCRR 231-2

Item 42.2:

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

Item 42.3:

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 42.4:

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.

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Item 42.5:

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 42.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):

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

Item 42.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Total NOx emissions from this emission unit is limited to 24 tons per year. CEMS data shall be used to calculate emissions. The owner/operator must continuously monitor and record the daily rolling annual amount of fuel burned in the gas turbines and the boiler.

Facility must maintain records onsite for a minimum of five years, and submit a summary of report to the Department.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 24 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

**Condition 43: Date of Construction Notification - if a COM is used.
Effective between the dates of 09/06/2007 and 09/05/2012**

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

Item 43.1:

This Condition applies to Emission Unit: U-FAC01



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Item 43.2:

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, postmarked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, postmarked 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 40 CFR 60. The notice shall be postmarked 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, postmarked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; 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, postmarked not less than 30 days prior to the performance test.

Condition 44: Recordkeeping requirements.

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 44.1:

This Condition applies to Emission Unit: U-FAC01

Item 44.2:

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 45: Excess Emissions Report

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 45.1:



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This Condition applies to Emission Unit: U-FAC01

Item 45.2:

A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 46: Performance test methods.

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 46.1:

This Condition applies to Emission Unit: U-FAC01

Item 46.2:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

Condition 47: Required performance test information.

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 47.1:

This Condition applies to Emission Unit: U-FAC01

Item 47.2:

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operate of the facility.

Condition 48: Prior notice.

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 48.1:

This Condition applies to Emission Unit: U-FAC01

Item 48.2:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 49: Monitoring requirements.

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A



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Item 49.1:

This Condition applies to Emission Unit: U-FAC01

Item 49.2:

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

**Condition 50: Compliance Determination - Particulate Matter and Opacity
Effective between the dates of 09/06/2007 and 09/05/2012**

Applicable Federal Requirement: 40CFR 60.46b(d), NSPS Subpart Db

Item 50.1:

This Condition applies to Emission Unit: U-FAC01

Item 50.2:

To determine compliance with the particulate matter emission limits and opacity limits under 40 CFR Part 60.43b, the owner or operator of an affected facility shall conduct an initial performance test as required under 40 CFR Part 60.8 using the following procedures and reference methods:

- (1) Method 3B is used for gas analysis when applying Method 5 or Method 17.
- (2) Method 5, Method 5B, or Method 17 shall be used to measure the concentration of particulate matter as follows:
 - (i) Method 5 shall be used at affected facilities without wet flue gas desulfurization (FGD) systems; and
 - (ii) Method 17 may be used at facilities with or without wet scrubber systems provided the stack gas temperature does not exceed a temperature of 160 °C (320 °F). The procedures of sections 2.1 and 2.3 of Method 5B may be used in Method 17 only if it is used after a wet FGD system. Do not use Method 17 after wet FGD systems if the effluent is saturated or laden with water droplets.
 - (iii) Method 5B is to be used only after wet FGD systems.
- (3) Method 1 is used to select the sampling site and the number of traverse sampling points. The sampling time for each run is at least 120 minutes and the minimum sampling volume is 1.7 dscm (60 dscf) except that smaller sampling times or volumes may be approved by the Administrator when necessitated by process variables or other factors.
- (4) For Method 5, the temperature of the sample gas in the probe and filter holder is monitored and is maintained at 160 °C (320 °F).
- (5) For determination of particulate matter emissions, the oxygen or carbon dioxide sample is obtained simultaneously with each run of Method 5, Method 5B or Method 17 by traversing the duct at the same sampling location.
- (6) For each run using Method 5, Method 5B or Method 17, the emission rate expressed in nanograms per joule heat input is determined using:
 - (i) The oxygen or carbon dioxide measurements and particulate matter measurements obtained under this section,



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- (ii) The dry basis F factor, and
- (iii) The dry basis emission rate calculation procedure contained in Method 19 (appendix A).

(7) Method 9 is used for determining the opacity of stack emissions.

Condition 51: Continuous Monitoring Systems
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.48b(e), NSPS Subpart Db

Item 51.1:

This Condition applies to Emission Unit: U-FAC01

Item 51.2:

The procedures under 40 CFR Part 60.13 shall be followed for installation, evaluation, and operation of the continuous monitoring systems.

Condition 52: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility shall submit notification of the date of initial startup, as provided by 40 CFR Part 60.7. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of the fuels to be combusted in the affected facility,

(2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR Part 60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g),

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60.46b(h), or 60.48b(i),

(3) The annual capacity factor at which the owner or operator anticipates operating the facility based on all fuels fired and based on each individual fuel fired, and,

(4) Notification that an emerging technology will be used for controlling emissions of sulfur dioxide. The Administrator will examine the description of the emerging technology and will determine whether the technology qualifies as an emerging technology. In making this determination, the Administrator may require the owner or operator of the affected facility to submit additional information concerning the control device. The affected facility is subject to the provisions of 40 CFR Part 60.42b(a) unless and until this determination is made by the Administrator.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 53: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the sulfur dioxide, particulate matter, and/or nitrogen oxides emission limits under 40 CFR Part 60.42b, 60.43b, and 60.44b shall submit to the Administrator the performance test data from the initial performance test and the performance evaluation of the CEMS using the applicable performance specifications in appendix B.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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Condition 54: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall record and maintain records of the amounts of each fuel combusted during each day and calculate the annual capacity factor individually for coal, distillate oil, residual oil, natural gas, wood, and municipal-type solid waste for each calendar quarter. The annual capacity factor is determined on a 12-month rolling average basis with a new annual capacity factor calculated at the end of each calendar month.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 55: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):

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

Item 55.2:

Compliance Certification shall include the following monitoring:



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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall maintain records of the following information for each steam generating unit operating day:

- 1) Calendar date.
- 2) The average hourly nitrogen oxides emission rates (expressed as NO₂) (ng/J or lb/million Btu heat input) measured or predicted.
- 3) The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceeding 30 steam generating unit operating days.
- 4) Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emission standards under 40CFR60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken.
- 5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.
- 6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.
- 7) Identification of the "F" factor used for calculations, method of determination, and type of fuel combusted.
- 8) Identification of the times when the pollutant concentration exceeded the full span of the continuous monitoring system.
- 9) Description of any modifications to the continuous monitoring system that could affect the ability of the system to comply with Performance Specification 2 or 3.
- 10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under 40CFR60 Appendix F, Procedure 1.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.



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

Condition 56: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 56.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall submit semiannual excess emission reports for opacity and/or, oxides of nitrogen, and/or sulfur dioxide any reporting period during which there are excess emissions from the affected facility. If there are no excess emissions during the reporting period, the owner or operator shall submit a report semiannually stating that no excess emissions occurred during that semiannual reporting period.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 57: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):

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

Item 57.2:

Compliance Certification shall include the following monitoring:



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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any affected facility subject to the continuous monitoring requirements for nitrogen oxides under §60.48(b) shall submit reports containing the information recorded under paragraph (g) of this section. All reports shall be postmarked by the 30th day following the end of semiannual period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 58: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 58.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator who elects to demonstrate that the affected facility combusts only very low sulfur oil shall obtain and maintain at the facility fuel receipts from the fuel supplier which certify that the the oil meets the definition of distillate oil as defined 40CFR60.41b. For the purposes of this requirement, the oil need not meet the fuel nitrogen content specification in the definition of distillate oil. Semiannual reports shall be submitted to the Administrator certifying that only very low sulfur oil was combusted in the affected facility during the preceding semiannual period.

Monitoring Frequency: PER DELIVERY



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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 59: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.44b(l)(1), NSPS Subpart Db

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01
Process: P0A Emission Source: 0BL04

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

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOx emission limit for the Boiler 4 firing natural gas.
The limit applies at all times including periods of
startup, shutdown, or malfunction.

The continuous monitoring systems required under paragraph
40 CFR 60.48b (b) and facility shall install, calibrate,
maintain, and operate a continuous monitoring system(CEMS)
for measuring nitrogen oxides emissions discharged to the
atmosphere. The CEMS shall be operated and data shall
be recorded during all periods of operation of the boiler
except for continuous monitoring system breakdowns and
repairs. Data is recorded during calibration checks, and
zero and span adjustments.

Manufacturer Name/Model Number: Universal Repair Services

Upper Permit Limit: 0.2 pounds per million Btus

Reference Test Method: 40 cfr 60

Monitoring Frequency: CONTINUOUS

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 227.2(b)(1)

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01
Process: P0B Emission Source: 0BL04

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

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emission limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

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Condition 61: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.43b(f), NSPS Subpart Db

Item 61.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Process: P0B

Emission Source: OBL04

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 61.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The owner or operator shall not cause to be discharged into the atmosphere 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 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 62: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.44b(l)(1), NSPS Subpart Db

Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Process: P0B

Emission Source: OBL04



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Regulated Contaminant(s):

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

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

NOx emission limit for the Boiler 4 firing distillate oil. The limit applies at all times including periods of startup, shutdown, or malfunction.

The owner or operator subject to 40CFR 60-Db.44b Facility shall install, calibrate, maintain, and operate a continuous monitoring system as required under 40CFR 60-Db.44b, for measuring nitrogen oxides emissions discharged to the atmosphere and record the output of the system. The continuous monitoring systems required under paragraph 40 CFR 60.48b (b) shall be operated and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Data is recorded during calibration checks, and zero and span adjustments.

Manufacturer Name/Model Number: Universal Repair Services

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: 40 cfr 60

Monitoring Frequency: CONTINUOUS

Averaging Method: 30-DAY ROLLING AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 63: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 63.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01 Emission Point: FAC01

Item 63.2:

Compliance Certification shall include the following monitoring:



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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).

Manufacturer Name/Model Number: Land Combustion 4500 Mark II

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 10/30/2007.

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

Condition 64: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 64.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01 Emission Point: FAC01

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of

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downtime;

4) Total time the COMS is 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 requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

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

Condition 65: Use of alternative methods for measuring NOx during CEMS downtime
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.48b(f), NSPS Subpart Db

Item 65.1:

This Condition applies to Emission Unit: U-FAC01 Emission Point: FAC01

Item 65.2:

When nitrogen oxides emission data are not obtained because of continuous monitoring system breakdowns, repairs, calibration checks, and zero and span adjustments, emission data will be obtained by using standby monitoring systems, Method 7, Method 7A, or other approved reference methods to provide emission data for a minimum of 75 percent of the operating hours in each steam generating unit operating day, in at least 22 out of 30 successive steam generating unit operating days.

Condition 66: Capping Monitoring Condition
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-7

Item 66.1:

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

6NYCRR 231-2

Item 66.2:



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

Item 66.3:

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 66.4:

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 66.5:

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 66.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):

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

Item 66.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Total NOx emissions from high pressure boiler BL03 shall be limited to 29.6 tpy. Facility must calculate NOx emissions based on the most recent stack tests results.

The owner or operator shall maintain records of the quantity of each fuel fired at the facility and calculate total annual NOx emissions on a 12 month rolling basis. Facility must maintain records onsite for a minimum of five years, and submit a summary of report to the Department.



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Process Material: FUEL
Parameter Monitored: OXIDES OF NITROGEN
Lower Permit Limit: 0 tons per year
Upper Permit Limit: 29.6 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 67: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 40CFR 60.13(c), NSPS Subpart A

Item 67.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

If the owner or operator of an affected facility elects to submit continuous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under §60.11(e)(5), he or she shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of 40CFR 60 before the performance test required under §60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under §60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of 40CFR 60. The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under §60.8 and as described in



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§60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in 40CFR60.13(c) at least 10 days before the performance test required under §60.8 is conducted.

(2) Except as provided in paragraph 40CFR60.13(c)(1), the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 68: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 227-2.5(b)

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Process: P03

Emission Source: 0BL03

Regulated Contaminant(s):

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

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

NOx emission limits for large boiler while burning gas, where compliance with the specific emission limit is verified through stack testing (to be approved by the Department). Stack testing of facility boilers performed every 2 yrs. All emission limits are for each boiler & correspond to the HHV of fuel burned and are based on one hr averaging.

Upper Permit Limit: 0.15 pounds per million Btus

Reference Test Method: 40 CFR PART 60 APP A



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 70: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 227-2.5(b)

Item 70.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Process: P07

Item 70.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Boiler 3 BL-03:

Boiler is subject to 6 NYCRR Part 227-2.4b(1) and under NOx RACT large boiler firing natural gas/oil is limited to a NOx emission rate of 0.3 lb/mmBtu. Since the Boiler 3 meets does meet the NOx RACT emission limit of 0.3 lbs/mmBtu while burning natural gas but not during oil firing, Warbasse opted to comply with NOx RACT utilizing the system wide averaging option under 227-2.5(b). The averaging plan will be implemented by imposing the following restrictions:

NOx Emission Limit for BL03

during natural gas firing: 0.15 lb/mmBtu

during #6 residual oil firing: 0.5 lb/ NOx/mmBtu

The compliance with 227-2.4 will be verified by the following formula:

$$0.60\text{mmBTU/yr} \times 0.15 \text{ lb/mmBtu} + 0.40\text{mmBTU/yr} \times 0.5$$



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lb/mmBtu = 0.296 pounds of NO_x/mmBtu

Fuel usage restrictions:

Boiler 3: #6 oil shall not be used during the ozone season, ie May 1 through September 30 of each calendar year. Twelve month consumption (rolled monthly) of #6 residual oil by boiler shall not exceed 40% of the total fuel consumption by boiler on a Btu basis.

While firing # 6 residual oil , the facility shall maintain daily usage of fuel in a permanently bound log book.

On a monthly basis the facility must calculate the ratio of the fuel usages and average NO_x emission rate to verify the compliance with fuel usage limitation and emission rate limitations.

Warbasse must report average NO_x emissions to the Department , fuel consumption by the boiler expressed in either gallons or cubic feet, and % of total Btus for each fuel used . Emission rates shall be verified by performing stack test every two years.

All the records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 40 percent by volume
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2008.
Subsequent reports are due every 6 calendar month(s).

Condition 69: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 227-2.5(b)

Item 69.1:

The Compliance Certification activity will be performed for:



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Emission Unit: U-FAC02

Process: P07

Emission Source: 0BL03

Regulated Contaminant(s):

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

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

NOx emission limits for large boiler while burning residual oil, where compliance with the specific emission limit is verified through stack testing (to be approved by the Department). Stack testing of facility boilers performed every 2 yrs. All emission limits are for each boiler & correspond to the HHV of fuel burned and are based on 1 hr averaging.

Upper Permit Limit: 0.5 pounds per million Btus

Reference Test Method: 40 CFR PART 60 AP A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 71: Compliance Certification

Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 227.2(b)(1)

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Process: P07

Emission Source: 0BL03

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 71.2:

Compliance Certification shall include the following monitoring:



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Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emission limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 72: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02 Emission Point: FAC02

Item 72.2:

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



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upon the six minute average utilizing a continuous opacity monitor (COM).

Manufacturer Name/Model Number: Land Combustion 4500 Mark II

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 10/30/2007.

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

Condition 73: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

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

Item 73.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02 Emission Point: FAC02

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion installation which utilizes a continuous opacity monitoring system (COMS) shall include the following in their quarterly excess emission reports:

- 1) Magnitude, date, and time of each exceedence;
- 2) For each period of excess emissions, specific identification of the cause and corrective action taken;
- 3) Date, time, and duration of each period of COMS downtime, and the corrective action for each period of downtime;
- 4) Total time the COMS is required to record data during the reporting period;
- 5) The total number of exceedences and the duration of



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exceedences expressed as a percentage of the total time in which the COMS are required to record data; and

6) Such other requirements as the Department may deem necessary in order to enforce Article 19 of the Environmental Conservation Law (ECL).

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 74: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 74.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03 Emission Point: FAC03
Process: P05 Emission Source: GEN01

Item 74.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

STATIONARY RECIPROCATING ENGINE SHALL BE LIMITED TO FIRING DURING PERIODS OF EMERGENCY ONLY. THIS UNIT MAY BE OPERATED UP TO 52 HRS PER YEAR .

Monitoring Frequency: QUARTERLY
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2007.
Subsequent reports are due every 3 calendar month(s).

Condition 75: Compliance Certification
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable Federal Requirement: 6NYCRR 201-6

Item 75.1:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 2-6107-00141/00001

Facility DEC ID: 2610700141



Emission Unit: U-FAC04 Emission Point: FAC04
Process: P06 Emission Source: GEN02

Item 75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

STATIONARY RECIPROCATING ENGINE SHALL BE
LIMITED TO FIRING DURING PERIODS OF
EMERGENCY ONLY. THIS UNIT MAY BE OPERATED
UP TO 52 HRS PER YEAR.

Monitoring Frequency: QUARTERLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2007.

Subsequent reports are due every 3 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: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 76: Contaminant List
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable State Requirement: ECL 19-0301

Item 76.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this



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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 77: Unavoidable noncompliance and violations
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable State Requirement: 6NYCRR 201-1.4

Item 77.1:

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

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

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant



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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 78: Air pollution prohibited
Effective between the dates of 09/06/2007 and 09/05/2012

Applicable State Requirement: 6NYCRR 211.2

Item 78.1:

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.