PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 2-6206-00096/00003
Mod 0 Effective Date: 02/10/2004 Expiration Date: 02/09/2009

Mod 1 Effective Date: 07/15/2005 Expiration Date: No expiration date.

Mod 2 Effective Date: 11/07/2005 Expiration Date: 02/09/2009

Mod 3 Effective Date: 08/14/2007 Expiration Date: 02/09/2009

SAPA Extended Begin Date: 02/10/2009

Permit Issued To:EAST RIVER HOUSING CORP
530 GRAND ST
NEW YORK, NY 10002-4800

Facility: EAST RIVER HOUSING CORP
26 LEWIS ST
NEW YORK, NY 10002

Contact: THOMAS GIBBONS
EAST RIVER HOUSING CORPORATION
530 GRAND ST
NEW YORK, NY 10002
(212) 677-2767

Description:
This is an ERCs (emission Reduction Credits) application as of November 30, 2002 for discontinued using boiler no. 1 (Emission unit 000001, Emission source 00001), which is a 84 mmbtu/hr boiler. Facility also de-rated the large boiler No.4, to a mid- size boiler (from 129.5 mmbtu/hr to 97mmbtu/hr heat input capacity). All boilers use no. 6 fuel oil and had a common emission point.

The ERCs are for 22.4 tons per year of oxides of nitrogen and 0.35 tpy of VOC emission reduction credits.

The facility is requesting ERCs (Emission Reduction Credits) by reducing the maximum annual potential of the emissions as explained below. The capping conditions for 6 NYCRR 201-7.2 establish a federally enforceable maximum annual potential (MAP) limit of 50.6 tons per year of oxides of nitrogen for Emission Unit 0-00001. Through this limit the facility will create 22.4 tons per year of oxides of nitrogen reduction credits. This limit shall be calculated monthly based on the previous 12 months fuel use times the NOx RACT emission limit of 0.3 pounds per million Btu. The facility is required to test for NOx RACT limit compliance once during the term of their Title V permit.

The facility is also requesting ERCs (Emission Reduction Credits) by reducing the maximum annual potential of the emissions as explained below. The capping conditions for 6 NYCRR 201-7.2 establish a federally enforceable maximum annual potential (MAP) limit of 0.35 tons per year of volatile organic compounds on Emission Unit 0-00001. Through this limit the facility will create 0.10 tons per year of volatile organic compounds reduction credits. This limit shall be calculated monthly based on the previous 12 months fuel use times the AP-42 emission factor of 0.28 pounds per thousand gallons fired.

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
NYSDEC
47-40 21ST ST
LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ___ / ___ / _____

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

LIST OF CONDITIONS

DEC GENERAL CONDITIONS
General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for permit renewals, modifications and transfers
Applications for Permit Renewals and Modifications
Permit modifications, suspensions or revocations by the Department
Permit modifications, suspensions or revocations by the Department
Permit Modifications, Suspensions and Revocations by the Department
Facility Level
Submission of Applications for Permit Modification or Renewal-REGION 2 HEADQUARTERS
Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS

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 3-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3-1.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3-1.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3-1.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be

submitted prior to actual transfer of ownership.

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6 NYCRR 621.13

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 3-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 3-2.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

Condition 3-3: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 3-3.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental conditions,

relevant technology or applicable law or regulations since the issuance of the existing permit; e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

Item 4.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

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

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

Condition 3-4: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 3-4.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:EAST RIVER HOUSING CORP
530 GRAND ST
NEW YORK, NY 10002-4800

Facility: EAST RIVER HOUSING CORP
26 LEWIS ST
NEW YORK, NY 10002

Authorized Activity By Standard Industrial Classification Code:
6513 - APARTMENT BUILDING OPERATORS

Mod 3 Permit Effective Date: 08/14/2007 Permit Expiration Date: 02/09/2009

SAPA Extended Begin Date: 02/10/2009

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

2-1 6 NYCRR 200.6: Acceptable Ambient Air Quality
3-1 6 NYCRR 201-6.5 (a) (7): Fees
2-2 6 NYCRR 201-6.5 (a) (7): Fees
2 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
3 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
4 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
5 6 NYCRR 201-6.5 (e): Compliance Certification
11 6 NYCRR 202-2.1: Compliance Certification
12 6 NYCRR 202-2.5: Recordkeeping requirements
2-3 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
3-2 6 NYCRR 215.2: Open Fires - Prohibitions
2-4 6 NYCRR 200.7: Maintenance of Equipment
2-5 6 NYCRR 201-1.7: Recycling and Salvage
3-3 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
2-6 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
2-7 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
2-8 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
2-9 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
2-10 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
2-11 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
2-12 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
3-4 6 NYCRR 202-1.1: Required Emissions Tests
2-13 6 NYCRR 202-1.1: Required Emissions Tests
2-14 6 NYCRR 211.3: Visible Emissions Limited
2-15 40 CFR Part 68: Accidental release provisions.
20 40CFR 82, Subpart F: Recycling and Emissions Reduction
1 6 NYCRR Subpart 201-6: Emission Unit Definition
6 6 NYCRR 201-6.5 (e): Compliance Certification
7 6 NYCRR 202-1.2: Notification
8 6 NYCRR 202-1.3: Acceptable procedures
9 6 NYCRR 202-1.3: Acceptable procedures - Stack test report submittal
10 6 NYCRR 202-1.3: Alternate test methods
13 6 NYCRR 225.1 (a) (3): Compliance Certification
14 6 NYCRR 225.7 (a): Compliance Certification
15 6 NYCRR 227-1.6 (a): Corrective action.
16 6 NYCRR 227-1.6 (b): Corrective action.
17 6 NYCRR 227-1.6 (c): Corrective action.
18 6 NYCRR 227-1.6 (d): Corrective action.

Emission Unit Level

21 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
22 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

2-16 6 NYCRR 201-7.2: Emission Unit Permissible Emissions

EU=0-00001
*2-17 6 NYCRR 201-7.2: Capping Monitoring Condition
*2-18 6 NYCRR 201-7.2: Capping Monitoring Condition
23 6 NYCRR 227-2.6 (c): Compliance Certification
24 6 NYCRR 227.2 (b) (1): Compliance Certification
2-19 6 NYCRR 231-2.6: Compliance Certification
2-20 6 NYCRR 231-2.6: Compliance Certification

EU=0-00001,Proc=MID
25 6 NYCRR 227-2.4 (c) (2): Compliance Certification

EU=0-00001,EP=00001

28 6 NYCRR 227-1.3 (a): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level
29 ECL 19-0301: Contaminant List
3-5 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
30 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
3-6 6 NYCRR 211.2: Air pollution prohibited
31 6 NYCRR 211.2: Air pollution prohibited
32 6 NYCRR 227-1.4: Compliance Demonstration
Emission Unit Level

EU=0-00001
33 6 NYCRR 227-1.4: Compliance Demonstration

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 - 6 NYCRR 201-1.5

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

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

(1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
(3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: **Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: **Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: **Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: **Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: **Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (a) (5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

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

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

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is

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

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: **Permit Exclusion - ECL 19-0305**

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

(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: **Federally Enforceable Requirements - 40 CFR 70.6 (b)**
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

Condition 2-1: **Acceptable Ambient Air Quality**
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 200.6

Item 2-1.1:
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 3-1: **Fees**
Effective between the dates of 08/14/2007 and 02/09/2009

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

Item 3-1.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

Condition 2-2: **Fees**
Effective between the dates of 11/07/2005 and 02/09/2009

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

Item 2-2.1:

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 2: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 2.1:
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 3: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 3.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 4: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 4.1:
The Compliance Certification activity will be performed for the Facility.

Item 4.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

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

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

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

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

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

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above

referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 5: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

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

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:

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:

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 10/30/2004.
Subsequent reports are due on the same day each year

Condition 11: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 11.1:
The Compliance Certification activity will be performed for the Facility.

Item 11.2:
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 12: Recordkeeping requirements
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 12.1:
(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 2-3: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR Part 215

Item 2-3.1:
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.

Condition 3-2: Open Fires - Prohibitions
Effective between the dates of 08/14/2007 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 215.2

Item 3-2.1:
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 3-2.2
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:
(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or

portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
(b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
(c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
(d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
(e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
(f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
(i) Prescribed burns performed according to Part 194 of this Title.
(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

Condition 2-4: Maintenance of Equipment
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 200.7

Item 2-4.1:

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 2-5: Recycling and Salvage
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 2-5.1:
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 3-3: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 08/14/2007 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 3-3.1:
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 2-6: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 2-6.1:
No person shall 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 2-7: Exempt Sources - Proof of Eligibility
Effective between the dates of 11/07/2005 and 02/09/2009

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

Item 2-7.1:
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 2-8: Trivial Sources - Proof of Eligibility
Effective between the dates of 11/07/2005 and 02/09/2009

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

Item 2-8.1:
The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 2-9: Standard Requirement - Provide Information
Effective between the dates of 11/07/2005 and 02/09/2009

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

Item 2-9.1:
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 2-10: General Condition - Right to Inspect
Effective between the dates of 11/07/2005 and 02/09/2009

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

Item 2-10.1:
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 2-11: Standard Requirements - Progress Reports
Effective between the dates of 11/07/2005 and 02/09/2009

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

Item 2-11.1:
Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

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

Condition 2-12: Off Permit Changes
Effective between the dates of 11/07/2005 and 02/09/2009

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

Item 2-12.1:
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 3-4: Required Emissions Tests
Effective between the dates of 08/14/2007 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 3-4.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 2-13: Required Emissions Tests
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 2-13.1:
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 2-14: Visible Emissions Limited
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 211.3

Item 2-14.1:
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 2-15: Accidental release provisions.
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:40 CFR Part 68

Replaces Condition(s) 19

Item 2-15.1:
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 20: Recycling and Emissions Reduction
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:40CFR 82, Subpart F

Item 20.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

Condition 1: Emission Unit Definition
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 1.1(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00001
Emission Unit Description:
BOILER ROOM

Building(s): BOILERROOM

Condition 6: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 6.1:
The Compliance Certification activity will be performed for the Facility.

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Boiler tune-up shall be performed annually for all boilers listed in the emission unit. The owner or operator shall maintain a log (in the format acceptable to the Department) containing the following information:
(1) The date when the tune-up was performed;
(2) A summary list of the items adjusted as part of the tune up; and (3) The name , title and the affiliation of the person(s) who performed the adjustments.

Monitoring Frequency: ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 7: Notification
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-1.2

Item 7.1:
A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

Condition 8: Acceptable procedures
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 8.1:
Emission testing, sampling, and analytical deteminations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

Condition 9: Acceptable procedures - Stack test report submittal
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 9.1:
Emission test reports must be submitted in triplicate to the commissioner within 60 days after the completion of the tests, unless additional time is requested in writing.

Condition 10: Alternate test methods
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 202-1.3

Item 10.1:
Alternate emission test methods or deviations from acceptable test methods may be utilized if it is impractical to utilize the acceptable test methods or where no applicable test method is available, if prior acceptance of the proposed alternate method is granted by the commissioner.

Condition 13: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 13.1:
The Compliance Certification activity will be performed for the Facility.

Item 13.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
No person shall sell, offer for sale, purchase or use any residual oil which has sulfur content greater than 0.30 percent by weight. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 6 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.30 percent by weight
Monitoring Frequency: PER DELIVERY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 14: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 225.7 (a)

Item 14.1:
The Compliance Certification activity will be performed for the Facility.

Item 14.2:
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: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 15: Corrective action.

Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 227-1.6 (a)

Item 15.1:
Any facility found in violation of the provisions of this Part shall not cause, permit, or allow the operation of the affected stationary combustion installation unless:

(1) it is equipped with approved emission control equipment;

(2) it is rehabilitated or upgraded in an approved manner; or

(3) the fuel is changed to an acceptable type.

Condition 16: Corrective action.
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 227-1.6 (b)

Item 16.1:
The commissioner may seal the affected stationary combustion installation that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

Condition 17: Corrective action.
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 227-1.6 (c)

Item 17.1:
No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with this section.

Condition 18: Corrective action.
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 227-1.6 (d)

Item 18.1:
No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

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

Condition 21: Emission Point Definition By Emission Unit
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 21.1(From Mod 2):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-00001

Emission Point: 00001
Height (ft.): 204 Length (in.): 96 Width (in.): 72
NYTMN (km.): 4507.823 NYTME (km.): 585.433 Building:
BOILERROOM

Condition 22: Process Definition By Emission Unit
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-00001
Process: MID Source Classification Code: 1-02-004-02
Process Description:
NO. 6 OIL FIRING IN MID-SIZED BOILERS
(BOILERS 00002, 00003 AND BOILER 0004).
BOILER 00001 WAS PERMANENTLY REMOVED FROM
SERVICE ON 30 NOVEMBER 2002. BOILER 0004
IS DERATED TO MID-SIZE (DERATED FROM
129MMBTU/HR TO 97MMBTU/HR)

Emission Source/Control: 00002 - Combustion

Emission Source/Control: 00003 - Combustion

Emission Source/Control: 00004 - Combustion

Condition 2-16: Emission Unit Permissible Emissions
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 2-16.1:
The sum of emissions from all regulated processes specified in this permit for the emission unit cited
shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 0-00001

CAS No: 0NY210000 (From Mod 2)
Name: OXIDES OF NITROGEN
PTE(s): 97,200 pounds per year
79.5 pounds per hour

CAS No: 0NY998000 (From Mod 2)
Name: VOC
PTE(s): 680 pounds per year

0.5 pounds per hour

Condition 2-17: Capping Monitoring Condition
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 2-17.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-2.6

Item 2-17.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-17.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-17.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-17.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-17.6:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

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

Item 2-17.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
This condition establishes a federally enforceable maximum annual potential (MAP) limit of 50.6 tons per year of oxides of nitrogen on this emission unit. Through this limit the facility will create 22.4 tons per year of oxides of nitrogen reduction credits. This limit shall be calculated monthly based on the previous 12 months fuel use times the NOx RACT emission limit of 0.3 pounds per million Btu (**note** the facility is required to test for NOx RACT limit compliance once during the term of their Title V permit). This calculation data shall be recorded and maintained at the facility for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 50.6 tons per year
Reference Test Method: 40 CFR 60 Appendix B & F
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 2-18: Capping Monitoring Condition
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 201-7.2

Item 2-18.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 231-2.6

Item 2-18.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-18.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-18.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an

emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-18.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-18.6:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-18.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
This condition establishes a federally enforceable maximum annual potential (MAP) limit of 0.35 tons per year of volatile organic compounds on this emission unit. Through this limit the facility will create 0.10 tons per year of oxides of volatile organic compounds reduction credits. This limit shall be calculated monthly based on the previous 12 months fuel use times the AP-42 emission factor of 0.28 pounds per thousand gallons fired. This calculation data shall be recorded and maintained at the facility for a minimum of five years.

Parameter Monitored: VOC
Upper Permit Limit: 0.35 tons per year
Reference Test Method: 40 CFR 60 Appendix B & F
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 23: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 23.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

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

Item 23.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Owner/operators of the facility shall submit a compliance test protocol to the department for approval atleast 90 days prior to the emission testing . The conditions of the testing and the locations of sampling devices must be acceptable to the department and shall utilize the procedures setforth in 40CFR Part 60, Appendix A or any other method acceptable to the Department and EPA for determining complaince with the approriate NOX limit in section 227-2.4 of this subpart and shall follow the procedures ser forth in Part 202 of this Title.

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 24: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 24.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

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

Item 24.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Particulate emission limit for a 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, and

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 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 2-19: Compliance Certification
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 231-2.6

Item 2-19.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Item 2-19.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility has established emission reduction credits for oxides of nitrogen and volatile organic compounds by shutting down and removing boiler #1, derating boiler #4 from 129.5 mmBtu/hr heat rate to 97 mmBtu/hr heat rate, and capping their residual oil use to 2.5 million gallons per year. The facility shall maintain records of the date that boiler #1 was shutdown and removed. The facility shall maintain heat input records based on the daily fuel flow to boiler #4 and the vendor provided heat rate of the fuel. The facility shall maintain annual fuel use records calculated on a monthly rolling basis for this emission unit. These records shall be maintained at the facility for a minimum of five years.

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 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 2-20: Compliance Certification
Effective between the dates of 11/07/2005 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 231-2.6

Item 2-20.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001

Item 2-20.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
The facility is limiting the amount of number 6 residual oil fired to 2.5 million gallons per year, at this emission unit, to establish emission reduction credits for both oxides of nitrogen and volatile organic compounds. The facility shall monitor fuel use on a monthly basis and maintain these records at the facility for a minimum of five years.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 6 OIL
Upper Permit Limit: 2,500,000 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 25: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable Federal Requirement:6 NYCRR 227-2.4 (c) (2)

Item 25.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001
Process: MID

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

Item 25.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
NOx emission limits for medium size boilers , where compliance with the specific emission limit is verified through stack testing.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.30 pounds per million Btus
Reference Test Method: 40 CFR Part 60 App.A
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 28: Compliance Certification
Effective between the dates of 02/10/2004 and 02/09/2009

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

Item 28.1:
The Compliance Certification activity will be performed for:

Emission Unit: 0-00001 Emission Point: 00001

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

Item 28.2:
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. This 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 must be recorded for each stack:

- weather condition
- was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other 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 (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 6 calendar month(s).

STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

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

Item A: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

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

Condition 29: Contaminant List
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable State Requirement:ECL 19-0301

Item 29.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 0NY075-00-0
Name: PARTICULATES

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

CAS No: 0NY998-00-0
Name: VOC

Condition 3-5: Unavoidable noncompliance and violations
Effective between the dates of 08/14/2007 and 02/09/2009

Applicable State Requirement:6 NYCRR 201-1.4

Item 3-5.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as

determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 30: Unavoidable noncompliance and violations
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable State Requirement:6 NYCRR 201-1.4

Item 30.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or

operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 3-6: Air pollution prohibited
Effective between the dates of 08/14/2007 and 02/09/2009

Applicable State Requirement:6 NYCRR 211.2

Item 3-6.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 31: Air pollution prohibited
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable State Requirement:6 NYCRR 211.2

Item 31.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 32: Compliance Demonstration
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable State Requirement:6 NYCRR 227-1.4

Item 32.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 32.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Any person subject to the provisions of this section shall record and maintain a file of such measurements and operating data, as may be required by the commisionner.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Condition 33: Compliance Demonstration
Effective between the dates of 02/10/2004 and 02/09/2009

Applicable State Requirement:6 NYCRR 227-1.4

Item 33.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Item 33.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
In this emission unit, not more than two boilers can be operated simultaneously, so that maximum heat input will be less than 250mmbtu/hr always. Doccument must be maintained at the facility to demonstrtate and to verify the maximum load input is less than 250mmBtu/hr . Reports should be submitted to the department .

Monitoring Frequency: DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 4/30/2004.
Subsequent reports are due every 3 calendar month(s).