PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6306-00067/00007
Effective Date: 09/03/2008 Expiration Date: No expiration date

Permit Issued To:ST JOHN'S UNIVERSITY
8000 UTOPIA PKWY
JAMAICA, NY 11439

Facility: ST JOHNS UNIVERSITY
81-50 UTOPIA PKWY
JAMAICA, NY 11432

Contact: COLLEEN GREANEY
ST JOHN'S UNIVERSITY
8000 UTOPIA PARKWAY
JAMAICA, NY 11439
(718) 990-1348

Description:
St. John's University, located at 8000 Utopia Parkway in Jamaica, New York, is a renowned international university which provides a full range of higher education opportunities to more than 18,300 students. The Standard Industrial Classification (SIC) Code for this facility is 8221-Colleges, Universities, & Professional Schools

St. John's University operates boilers on campus which supply steam and space heating for the buildings and dormitories under emission unit U-00006, gasoline dispensing station under emission unit U-00004 and emergency generators under emission unit U-00005.

The steam is produced by stationary combustion installations/boilers, with maximum rated heat input capacities ranging from 9.87 - 29.5 mmBtu/hr. The boilers are all capable of firing either distillate oil or natural gas.

The gasoline dispensing station consists of two underground gasoline storage tanks with capacities of 2500 gallons and 4000 gallons. The annual throughput of gasoline at the dispensing site is less than 120,000 gallons, with an average monthly throughput of 4000 gallons.

Emission unit U-00005 presently consists of two emergency power generating units.

The facility operates other sources throughout the campus which are considered exempt from permitting in accordance with 6NYCRR201-3.2(c), including three space heaters with heat input of 0.22 mmbtu/hr each, 13 diesel fired emergency generators, 3 fuel oil storage tanks less than 300,000 bbls, 12 storage tanks with capacities less than 10,000 gallons and six natural gas-fired HVAC units.

The facility-wide emissions for sulfur dioxide (SO2) and nitrous oxide (NOx) at St. John's University exceed the major source pollutant thresholds listed in 6NYCRR Subpart 201-6 Title V Facility Permits and the major source threshold specified in 6NYCRR 227-2, Reasonably Available Control

Technology (RACT) for Oxides of Nitrogen. To comply with the requirements of 6NYCRR227-2, St. John's University must perform annual tune-ups to the boilers contained in emission unit U-00006 and comply with the specified reporting and recordkeeping requirements. St. John's University is also subject to the SIP version of 6NYCRR225, Fuel Composition and Use - Sulfur Limitations, which restricts the sulfur content of distillate fuel oil utilized at all sources throughout the facility to 0.2 % by weight or less. All boilers on-site which are 10 mmBtu/hr or greater are subject to the requirements of 40CFR60, Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The facility must also comply with the smoke emission and corrective action requirements of 6NYCRR227-1, Stationary Combustion Installations. The gasoline dispensing station is subject to the recordkeeping requirements of 6NYCRR230.5. The registration requirements of 6NYCRR 230.7 apply but are satisfied in accordance with 6NYCRR201-4.3.

During August 1996 to October 1997, St. John's University converted boilers at the facility from No. 6 fuel oil fired to natural gas/No.2 fuel oil fired and reduced actual NOx emissions by 28.5 tons. Emission reduction credits (ERCs) for this decrease in NOx emissions were established and certified under Air State Facility permit 2-6306-00067/00005. Some of these ERCs were used for netting under Air State Facility permit 2-6306-00067/00006 when the facility replaced its two 7.7 mmbtu/hr boilers with two 29.5 mmbtu/hr heat input boilers.

The Title V permit contains a complete listing of the applicable federal, state and compliance monitoring requirements for the facility, its emission units and emission points. Appendix A contains a list of exempt activities as defined by 6NYCRR 201-3.2.

Under this application , the university has removed an existing boiler (emission source B0003, of Emission unit U00006 of the Title V permit) and has submitted a Title v Permit minor modification application to this effect. B0003 had a max design heat input of 12.6 mmbtu/hr.

B0003, located in the subbasement of St. John's Hall (Bldg 1 in the Title V permit), was connected to its own stack designated as emission point PT001in the Title V permit.

The new boiler will be a Burnham Commercial Boiler Model 4SL-300_FE, which will be equipped with a Gordon-Piatt burner model IF16-GO-10-E2-3.0-F8.2. This new Burnham boiler has a maximum heat input rating of 12.6 mmbtu/hr. The heat input of the new boiler will be identical to the removed Superior boiler, previously designated as B0003 in the Title V permit.

The new boiler will be installed in the same location St. John's Hall (Bldg 1) as B0003 boiler and connected to same stack designated as emission point PT001.

The new boiler will burn natural gas and # 2 oil, which the same as the removed boiler.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: JOHN F CRYAN
DIVISION OF ENVIRONMENTAL PERMITS
ONE HUNTERS POINT PLAZA, 47-40 21ST STREET
LONG ISLAND CITY, NY 11101-5407

Authorized Signature: _____ Date: ___ / ___ / _____

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

LIST OF CONDITIONS

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

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

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

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

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 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:
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: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

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 application for permit modification or renewal-REGION 2 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(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

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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8000 UTOPIA PKWY
JAMAICA, NY 11439

Facility: ST JOHNS UNIVERSITY
81-50 UTOPIA PKWY
JAMAICA, NY 11432

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

Permit Effective Date: 09/03/2008 Permit Expiration Date: No expiration date.

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Facility Level

Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

1 6NYCRR 225.1(a)(3): Compliance Demonstration
2 6NYCRR 225.7(a): Compliance Demonstration
3 6NYCRR 227-1.3: Compliance Demonstration

Emission Unit Level

EU=U-00007

4 6NYCRR 227-1.3(a): Compliance Demonstration
13 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration
5 40CFR 60.44c(h), NSPS Subpart Dc: Compliance Demonstration
6 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
7 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
8 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
9 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration
10 40CFR 60.48c(f)(4), NSPS Subpart Dc: Fuel supplier certification
11 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Demonstration

EU=U-00007,Proc=002

12 40CFR 60.44c(g), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

14 ECL 19-0301: Contaminant List
15 6NYCRR 201-1.4: Unavoidable noncompliance and violations
16 6NYCRR 201-5: Emission Unit Definition
17 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

18 6NYCRR 201-5: Emission Point Definition By Emission Unit
19 6NYCRR 201-5: Process Definition By Emission Unit

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

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

Item A: **Sealing - 6NYCRR Part 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Item B: **Acceptable Ambient Air Quality - 6NYCRR Part 200.6**

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

Item C: **Maintenance of Equipment - 6NYCRR Part 200.7**

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

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

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

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: **Emergency Defense - 6NYCRR Part 201-1.5**

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

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

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

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

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

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

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

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

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

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: **Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item J: **Required Emission Tests - 6 NYCRR Part 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air

pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item K: **Visible Emissions Limited - 6 NYCRR Part 211.3**
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Item L: **Open Fires - 6 NYCRR Part 215**
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item M: **Permit Exclusion - ECL 19-0305**
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

FEDERAL APPLICABLE REQUIREMENTS

The following conditions are federally enforceable.

Condition 1: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 1.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 1.2:
Compliance Demonstration 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 distillate oil which has sulfur content greater than 0.20 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: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.20 percent by weight
Monitoring Frequency: PER DELIVERY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225.7(a)

Item 2.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:
Compliance Demonstration 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: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 3: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 227-1.3

Item 3.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 3.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Operators of oil-fired boilers which 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 for each boiler which is operating on oil 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:
- date and time of day
- observer's name
- identity of emission point
- weather condition
- was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. 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 firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a 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.

Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

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

Condition 4: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 4.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

Item 4.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any

time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 13: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 13.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

Item 13.2:
Compliance Demonstration shall include the following monitoring:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.50 percent by weight
Monitoring Frequency: PER DELIVERY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 5: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 5.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

Item 5.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
THE FACILITY OWNER AND/OR OPERATOR MUST DEMONSTRATE COMPLIANCE WITH THE REQUIREMENTS OF 40 CFR 60.42c(h). FACILITIES DEMONSTRATING COMPLIANCE USING THE FUEL SUPPLIER CERTIFICATION, FOR SULFUR-IN-FUEL LIMITATIONS (BASED ON A PERCENT BY WEIGHT OF SULFUR IN THE FUEL), SHALL SUBMIT THE CERTIFICATION IN ACCORDANCE WITH THE PROVISIONS OF 40 CFR 60.48c(f)(1), (2), AND (3), AS APPLICABLE.

Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.5 percent by weight
Monitoring Frequency: SINGLE OCCURRENCE
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 6: Compliance Demonstration

Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 6.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

Item 6.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner and operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7 of this part. This notification shall include:

(1) The design heat input capacity of the affected facility and identification of 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 60.42c., or 40 CFR 60.43c.

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

Monitoring Frequency: SINGLE OCCURRENCE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 7: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 7.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

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

Item 7.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of each affected facility subject to the SO2 emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.

Monitoring Frequency: PER DELIVERY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 8: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 8.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

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

Item 8.2:
Compliance Demonstration shall include the following monitoring:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 9: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 9.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

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

Item 9.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Fuel supplier certification shall include the following information for distillate oil:

i) The name of the oil supplier, and

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 10: Fuel supplier certification
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60.48c(f)(4), NSPS Subpart Dc

Item 10.1:
This Condition applies to Emission Unit: U-00007

Item 10.2:
Fuel supplier certification shall include the following information:

(i) The name of the supplier of the fuel;

(ii) The potential sulfur emissions rate of the fuel in ng/J heat input; and

(iii) The method used to determine the potential sulfur emissions rate of the fuel.

Condition 11: Compliance Demonstration
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 11.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00007

Item 11.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record, for determining compliance with the NSPS requirements.

** NOTE** Records shall be maintained for a minimum of five years to achieve compliance with the requirements of Title V.

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 1/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 12: Alternative compliance methods for sulfur dioxide.
Effective between the dates of 09/03/2008 and Permit Expiration Date

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

Item 12.1:
This Condition applies to Emission Unit: U-00007
Process: 002

Item 12.2:
Oil fired facilities demonstrating compliance through sampling and analysis shall initially prove the oil sulfur content to be 0.50% by weight or less.

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

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

Item A: **Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)**
Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1) , and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

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

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state only enforceable.

Condition 14: Contaminant List
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 14.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

Condition 15: Unavoidable noncompliance and violations
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-1.4

Item 15.1:
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 16: Emission Unit Definition
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 16.1:
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00007
Emission Unit Description:
It consists of one Burnhum boiler model 4SL-350-FE designated as emission source B0014 with maximum heat input of 12.6 mmbtu/hr; and connected to a stack designated as emission point PT006. The boiler is capable of firing natural gas or No. 2 oil.

Building(s): BLDG1

Condition 17: Air pollution prohibited
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 17.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**** Emission Unit Level ****

Condition 18: Emission Point Definition By Emission Unit
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 18.1:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00007

Emission Point: PT006
Height (ft.): 98 Length (in.): 25 Width (in.): 25
NYTMN (km.): 4508.5 NYTME (km.): 601.8 Building: BLDG1

Condition 19: Process Definition By Emission Unit
Effective between the dates of 09/03/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 19.1:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00007
Process: 001 Source Classification Code: 1-03-006-02
Process Description: Firing natural gas.

Emission Source/Control: B0014 - Combustion
Design Capacity: 12.6 million Btu per hour

Item 19.2:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00007
Process: 002 Source Classification Code: 1-03-005-02
Process Description: Firing #2 distillate oil.

Emission Source/Control: B0014 - Combustion
Design Capacity: 12.6 million Btu per hour