

New York State Department of Environmental Conservation
Facility DEC ID: 3134600052



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 3-1346-00052/00007
Effective Date: 12/13/2007 Expiration Date: No expiration date

Permit Issued To: TOWN OF POUGHKEEPSIE
1 OVEROCKER RD
POUGHKEEPSIE, NY 12603

Contact: JAMES PODESZEDLIK
ARLINGTON TREATMENT FACILITY
78 SAND DOCK RD
POUGHKEEPSIE, NY 12601
(845) 462-2280

Facility: ARLINGTON TREATMENT FACILITY
78 SAND DOCK RD
POUGHKEEPSIE, NY 12603

Description:

The Arlington Wastewater Treatment Plant, located in the Town of Poughkeepsie, Dutchess County, has operated a permitted fluidized bed sludge incinerator since the early 1970s. This State Facility permit is Department initiated and updates format in accordance with 6NYCRR 201. Included in this permit are New Source Performance Standards codified 40CFR 60 subpart O, Standards of Performance for Sewage Treatment Plants, National Emission Standards for Mercury and Beryllium, codified 40CFR 61 subparts E and C respectively, and the Clean Water Act requirements for sludge incinerators under 40CFR 503 subpart E.

Conditions in the permit for operation and maintenance of a wet scrubber insure compliance with 40CFR 60 subpart O, particulate standard of 1.30 lb/dry ton sludge feed and 20 % opacity standard. Scrubber differential pressure and exhaust gas oxygen content are monitored in accordance with the rule. The rule does allow for less monitoring if emissions of particulate is demonstrated to be less than 0.75 lb/ton dry sludge feed. Arlington Treatment facility conducted performance testing of the sludge incinerator exhaust twice, once in 1996 and once in 2002. In both instances, particulate emissions were determined below 0.75 lb/ dry ton sludge feed. If particulate emissions ever exceed 0.75 lb/ton then additional monitoring in accordance with 40CFR 60.153 (d) will be required. Specific reporting is not required under 40CFR 60 subpart O with the exception of semi-annual reporting of periods when measured oxygen and scrubber pressure differential is recorded outside of acceptable values defined by respective conditions.

The facility is required to operate oxygen and carbon monoxide continuous emission monitors in support of compliance with 40CFR 60 subpart O and 40CFR 503 subpart E requirements. Design, performance procedure and reporting (quarterly) are defined by permit condition under 6NYCRR 201- 5.3(b).



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The National Emission Standards for Hazardous Air Pollutants, 40CFR 61 subpart E, requires mercury emissions below 3200 grams per 24-hour period. Mercury emissions were determined in 2002 as 8.87 grams per 24 hour period, well below the emission standard. The Department reserves the right to request the facility complete future performance testing to verify compliance.

The National Emission Standards for Hazardous Air Pollutants, 40CFR 61 subpart C, requires beryllium emissions below 10 grams per 24-hour period. Beryllium emissions were determined in 2002 as 0.0035 grams per 24 hour period, well below the emission standard. The Department reserves the right to request the facility complete future performance testing to verify compliance.

The source is also subject the Clean Water Act 40CFR 503 subpart E which regulates disposal of sewage sludge. 40CFR 503 subpart E establishes monitoring of carbon monoxide, monitoring of fluidized bed temperature, quarterly sampling of sludge fed to the incinerator to determine content of arsenic, beryllium, cadmium, chromium, lead, mercury and nickel as well as annual reporting (by February 19) of numerous operating and monitoring criteria.

40CFR 503 Subpart E also requires a determination of pollutant limits for lead, arsenic, cadmium, chromium and nickel which is based on stack testing and modeling incinerator exhaust gas. Results of the limits established and actual sampling of biosolid demonstrating compliance are outlined in reports dated May 1996 and addendum to final report dated April 2002. Sampling of biosolid for metal concentration is required quarterly.

40CFR 503 Subpart E requirements are listed within the NYSDEC General Conditions section of the issued permit (conditions 6 thru 9 pages 4, 5, 6, 7 of 7).

Summary of permit requirements include, but not limited to, the following:

- 1) Continuous monitoring (CEM) of carbon monoxide. Permit limit 100 ppmv or less. Report compliance status annually. Perform quality assurance (CGA/RATA) procedure quarterly. Report QA quarterly. Re: DEC permit conditions No.6 /No.9 and Air permit condition No.10.
- 2) Continuous monitoring (CEM) of oxygen. Permit limit 11.8% or less. Submit semi-annual reports if recorded values exceed upper permitted limit. Otherwise, report compliance status annually. Perform quality assurance (CGA/RATA) procedure quarterly. Report QA quarterly. Re: DEC permit condition No.9 and Air permit conditions No.4/No.10.
- 3) Continuously monitor pressure drop through wet scrubber device. Permit limit 22.3 inches of water or greater. Submit semi-annual reports if measured pressure drop is below lower permitted limit. Otherwise, report compliance status annually. Re: DEC permit condition No.9 and Air permit conditions No.3.
- 4) Continuously measure fluidized bed temperature. Permit limit is 1696 F or lower. Report compliance status annually. Re: Dec permit conditions No. 7 / No. 9.
- 5) Sample sludge biosolid quarterly. Analytical determination for concentration of Arsenic, Beryllium, Cadmium, Chromium, Lead, Mercury and Nickel. Report results annually. Re: DEC permit condition No. 8.

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6) Maintain record of fuel oil delivery and documentation of sulfur in fuel content below 1.5% by weight. Records should be available upon request by NYSDEC. Re: Air permit condition No.1.

7) Exhaust gas limited to less than 1.30 pound particulate of sludge biosolid charge and less than 20% opacity. Performance Test February 2002 document compliance. NYSDEC reserves right to request performance testing to verify compliance. Re: Air permit condition No.2.

8) Beryllium and Mercury mass emissions per 24 hour period limited to less than 10 grams and 3200 grams respectively. Performance Test February 2002 document compliance. NYSDEC reserves right to request performance testing to verify compliance. Re: Air permit conditions No.5 /No. 6.

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: KENNETH R GRZYB
 NYSDEC REGION 3
 21 SOUTH PUTT CORNERS RD
 NEW PALTZ, NY 12561

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

Submission of application for permit modification or renewal-REGION 3
HEADQUARTERS

DEC SPECIAL CONDITIONS

Continuous Monitoring for Carbon Monoxide
Operating Combustion Temperature
Frequency of monitoring arsenic, cadmium, chromium, lead, and nickel in
sewage sludge.
Recordkeeping and Reporting



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



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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 3 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 3 Headquarters
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3054



DEC SPECIAL CONDITIONS

Condition 6: Continuous Monitoring for Carbon Monoxide
Applicable State Requirement: 40CFR 503-E.40

Item 6.1:

Emission Unit: U-00001
Emission Point: 00001

Compliance Demonstration shall include the following monitoring:

Monitoring Type: Monitoring of Process or Control Device as a Surrogate

Monitoring Description:

Arlington Treatment Facility shall:

- (1) Monitor the exit gas from a sewage sludge incinerator stack continuously for carbon monoxide.
- (2) Not exceed 100 parts per million on a volumetric basis for the monthly average concentration of carbon monoxide in the exit gas from the sewage sludge incinerator stack, corrected for zero percent moisture and to seven percent oxygen.
- (3) Retain for five years and make available to the Department upon request the following information:
 - (i) The carbon monoxide concentrations in the exit gas; and
 - (ii) A calibration and maintenance log for the instrument used to measure the carbon monoxide concentration.

Monitoring and recordkeeping for hydrocarbons is not required if the facility complies with the requirement for monitoring carbon monoxide.

Parameter Monitored: Carbon Monoxide
Upper Permit Limit: 100 ppmv (corrected for 0% moisture and 7% oxygen)
Monitoring Frequency: Continuous
Averaging Method: 30 day average
Reporting Frequency: Annually by February 19 of each year

Condition 7: Operating Combustion Temperature
Applicable State Requirement: 40CFR 503-E.45

Item 7.1:

Emission Unit: U-00001
Emission Point: 00001

Compliance Demonstration shall include the following monitoring:



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Monitoring Type: Monitoring of Process or Control Device as a Surrogate

Monitoring Description:

Arlington Treatment Facility shall operate a calibrated instrument that continuously measures and records combustion temperature of the sewage sludge incinerator. In reference to performance testing conducted February 2002 and in accordance with USEPA letter dated April 2, 2003, fluidized bed temperature shall not exceed 1696 F (1413 F plus 20%).

Parameter Monitored: Fluidized Bed Temperature
Upper Permit Limit: 1696 degrees Fahrenheit
Monitoring Frequency: Continuous
Averaging Method: Instantaneous
Reporting Frequency: Annually by February 19 of each year

Condition 8: Frequency of monitoring arsenic, cadmium, chromium, lead, and nickel in sewage sludge.
Applicable State Requirement: 40CFR 503-E.46

Item 8.1:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: Record Keeping/Maintenance Procedures

Monitoring Description:

The frequency of monitoring for arsenic, beryllium, cadmium, chromium, lead, mercury and nickel in sewage sludge fed to the sewage sludge incinerator shall be quarterly based on annual firing of sludge between 319 and 1650 tons (dry weight basis). Frequency of monitoring refers Table 1 of §503.46.

The following concentration limits apply to sewage sludge fed to the incinerator:

Arsenic - 18 mg/kg
Beryllium - *
Cadmium - 34 mg/kg
Chromium - 289 mg/kg
Lead - 426 mg/kg
Mercury - *
Nickel - 465 mg/kg

Reference performance test February 2002, Report dated April 2002.

Metals limit above are based on Report addendum dated April 2002.

Arlington Treatment facility may requests a reduction of sample frequency after two years monitoring.



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Monitoring Frequency: Quarterly
Reporting Frequency: Annually by February 19 of each year

**Condition 9: Recordkeeping and Reporting
Applicable State Requirement: 40CFR 503-E.48**

Item 9.1:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: Record Keeping/Maintenance Procedures

Monitoring Description:

Arlington treatment facility shall maintain the following information:

- 1) The concentration of lead, arsenic, cadmium, chromium, and nickel in the sewage sludge fed to the incinerator (see condition under 40CFR 503-E.46).
- 2) Information that indicates compliance with the requirements of National Emission Standard for beryllium 40 CFR 61 subpart C.
- 3) Information that indicates compliance with the requirements of National Emission Standards for mercury 40CFR 61 subpart E.
- 4) The operating combustion temperatures for the sewage sludge incinerator.
- 5) Values for the air pollution control device operating parameters (scrubber pressure differential).
- 6) The oxygen concentration and information used to measure moisture content in the exit gas from the sewage sludge incinerator stack.
- 7) The sewage sludge feed rate.
- 8) The stack height for the sewage sludge incinerator.
- 9) The dispersion factor for the site where the sewage sludge incinerator is located (Performance Test report April 2002 as revised April 30, 2002).
- 10) The control efficiency for lead, arsenic, beryllium, cadmium, chromium, mercury and nickel for each sewage sludge incinerator (Performance Test report April 2002 as revised April 30, 2002).
- 11) The risk specific concentration for chromium calculated using equation(6), if applicable (Performance Test report April 2002 as revised April 30, 2002).
- 12) A calibration and maintenance log for the instruments used to measure carbon monoxide and oxygen concentration in the exit gas from the sewage sludge incinerator stack, the information needed to determine moisture content in the exit gas , and the combustion temperatures.

Arlington Treatment facility shall retain information itemized above for a minimum period of five years.

As a Class 3A sludge management facility, as defined in 40 CFR 501.2, with a design flow rate greater than one million gallons per day, and or servicing a population greater than 10,000 people, information above shall be submitted to the USEPA Region 2 office and the Regional NYSDEC office by February 19 of each year. Address as follows:

USEPA Region 2
Water Compliance Branch



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Division of Enforcement and Compliance Assistance
290 Broadway, 20th Floor
New York, NY 10007-1866

NYSDEC
Regional Air pollution Control Engineer
21 South Putt Corners Road
New Paltz, NY 12561-1696

Reporting Requirement: Annually by February 19 of each year.



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ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: TOWN OF POUGHKEEPSIE
1 OVEROCKER RD
POUGHKEEPSIE, NY 12603

Facility: ARLINGTON TREATMENT FACILITY
78 SAND DOCK RD
POUGHKEEPSIE, NY 12603

Authorized Activity By Standard Industrial Classification Code:
4952 - SEWERAGE SYSTEMS

Permit Effective Date: 12/13/2007

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 2 40CFR 60.152(a), NSPS Subpart O: Compliance Demonstration
- 3 40CFR 60.153(b)(1), NSPS Subpart O: Compliance Demonstration
- 4 40CFR 60.153(b)(2), NSPS Subpart O: Compliance Demonstration
- 5 40CFR 61.32(a), NESHAP Subpart C: Compliance Demonstration
- 6 40CFR 61.52(b), NESHAP Subpart E: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 7 ECL 19-0301: Contaminant List
- 8 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 9 6NYCRR 201-5: Emission Unit Definition
- 10 6NYCRR 201-5.3(b): Compliance Demonstration
- 11 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 12 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 13 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

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

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

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

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

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

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event

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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



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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

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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 12/13/2007 and Permit Expiration Date

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

Item 1.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: 001

Item 1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any fuel oil which has a sulfur content greater than the limit presented below. Suppliers certifications stating



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sulfur content per delivery must be maintained onsite for a minimum of 5 years after the date of the last entry and be made available to the Department upon request.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.5 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2: Compliance Demonstration
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.152(a), NSPS Subpart O

Item 2.1:

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

Emission Unit: U-00001 Emission Point: 00001

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

Item 2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Arlington Treatment Facility shall not discharge or cause discharge into the atmosphere;

(1) Particulate matter at a rate in excess of 0.65 g/kg dry sludge input (1.30 lb/ton dry sludge input).

(2) Any gases which exhibit 20 percent opacity or greater.

Performance testing to determine particulate emissions was completed January 1996 and February 2002. Results as follows:

PM = 0.21 lbs per ton dry sludge (1996)

PM = 0.29 lbs per ton dry sludge (2002)

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Opacity less than 20%

Pursuant to 40CFR 60.153(d), the following 40CFR 60 NSPS Subpart O requirements do not apply:

- 1) 40CFR 60.153(a)(1) - operate a flow measuring device to determine mass or volume of sludge charged to the incinerator (Required by 40CFR 503-E.48).
- 2) 40CFR 60.153(b)(3) - operate a temperature measuring device in the bed and outlet of the fluidized bed incinerator (Required by 40CFR 503-E.45).
- 3) 40CFR 60.153(b)(4) - operate a device to measure fuel flow.
- 4) 40CFR 60.153(b)(5) - daily sample to determine dry sludge and volatile solids content.
- 5) 40CFR 60.153(c)(3) - recordkeeping of above exceptions (See condition under 40CFR 503-E.48).

The Department reserves the right to request the facility conduct future particulate performance and opacity evaluation testing to verify compliance with the limits identified.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 1.30 pounds per ton

Reference Test Method: Method 5 and Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3: Compliance Demonstration
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.153(b)(1), NSPS Subpart O

Item 3.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: 001

Emission Source: 00002

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Item 3.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Arlington Treatment Plant shall install, calibrate, maintain and operate a monitoring device that continuously measures and records the pressure drop of the gas flow through the wet scrubbing device. The device used to monitor scrubber pressure drop shall be certified by the manufacturer to be accurate within ± 250 pascals (± 1 inch water gauge) and shall be calibrated on an annual basis in accordance with the manufacturer's instructions.

In reference to the February 2002 performance test, an average scrubber pressure drop of 31.9 inches of water was recorded concurrent with an average particulate emissions below 0.75 lbs per ton dry sludge.

Pursuant to 40CFR 60.155(a)(1)(i) and USEPA letter dated April 2, 2003, Arlington WWTP shall submit semi annual reports documenting all 1-hour durations when the scrubber pressure drop is measured below 22.4 inches of water (31.9 - (30%)(31.9)). Reporting of recorded values above 22.4 inches of water is not required. Recorded values above the upper limit of 31.9 inches of water does not constitute a violation.

The facility shall retain a record of the measured pressure drop of the gas flow through the wet scrubbing for a minimum of 2 years available for Department review upon request.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 22.3 inches of water

Upper Permit Limit: 31.9 inches of water

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 4: Compliance Demonstration
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.153(b)(2), NSPS Subpart O



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Item 4.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001 Emission Point: 00001

Item 4.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Arlington Treatment Plant shall install, calibrate, maintain and operate a monitoring device that continuously measures and records the oxygen content of the incinerator exhaust gas. The oxygen monitor shall be located upstream of any rabble shaft cooling air inlet into the incinerator exhaust gas stream, fan, ambient air recirculation damper, or any other source of dilution air. The oxygen monitoring device shall be certified by the manufacturer to have a relative accuracy of ± 5 percent over its operating range and shall be calibrated according to method(s) prescribed by the manufacturer at least once each 24-hour operating period.

In reference to the February 2002 performance test, an average oxygen content in the incinerator exhaust gas of 8.8% was recorded concurrent with the determination of compliance.

Pursuant to 40CFR 60.155(a)(2) and USEPA letter dated April 2, 2003, Arlington WWTP shall submit semi annual reports documenting all 1-hour durations when oxygen content exceeds 11.8% ($8.8\% + (3\%)(8.8\%)$) within the incinerator exhaust gas. Reporting of recorded values below 11.8% oxygen is not required. Recorded values below the lower limit of 8.8% oxygen does not constitute a violation.

The facility shall retain a record of the measured oxygen content for a minimum of 2 years available for Department review upon request.

Parameter Monitored: OXYGEN CONTENT

Lower Permit Limit: 8.8 percent



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Upper Permit Limit: 11.8 percent

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 5: Compliance Demonstration
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 61.32(a), NESHAP Subpart C

Item 5.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007440-41-7 BERYLLIUM

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions to the atmosphere shall not exceed 10 grams (0.022 lb) of beryllium over a 24-hour period.

Performance testing conducted February 2002 (Report dated April 2002) indicate beryllium emissions less than 0.0035 grams per 24-hour period.

The Department reserves the right to request future performance testing to verify compliance.

Upper Permit Limit: 10 grams per day

Reference Test Method: USEPA Method 104

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 24 HOUR MAXIMUM

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 6: Compliance Demonstration
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 61.52(b), NESHAP Subpart E



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Item 6.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 007439-97-6 MERCURY

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions to the atmosphere shall not exceed 3200 grams (7.1 lb) of mercury per 24-hour period. Performance testing conducted February 2002 (Report dated April 2002) indicate mercury emissions of 8.87 grams per 24-hour period.

The Department reserves the right to request future performance testing to verify compliance.

Upper Permit Limit: 3200 grams per day

Reference Test Method: USEPA Method 101A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 24 HOUR MAXIMUM

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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

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law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 7: Contaminant List

Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 7.1:

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

CAS No: 007440-41-7

Name: BERYLLIUM

CAS No: 000630-08-0

Name: CARBON MONOXIDE

CAS No: 007439-97-6

Name: MERCURY

CAS No: 0NY075-00-0

Name: PARTICULATES

Condition 8: Unavoidable noncompliance and violations

Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 8.1:

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



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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 9: Emission Unit Definition
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 9.1:

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

Emission Unit: U-00001

Emission Unit Description:

Fluidized bed incinerator utilizing No. 2 oil as an auxillary fuel source for the combustion of municipal sewage sludge. The unit is rated at 700 dry pounds per hour biosolids. Emissions are controlled by a venturi wet scrubber.

Building(s): REACTOR



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Condition 10: Compliance Demonstration

Effective between the dates of 12/13/2007 and Permit Expiration Date

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

Item 10.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This condition applies to the O₂ and CO continuous emissions monitoring systems (CEMs) operated at the Arlington Treatment facility.

CEMs systems shall conform with design and performance criteria outlined in 40CFR 60 Appendix A. CEMs shall be operated in accordance with Quality Assurance Procedures outlined by 40CFR 60, Appendix F. This includes, but not limited to, implementing a Quality Control Program (40CFR 60-F.1), quarterly Data Accuracy Assessment (40CFR 60-F.5) and Reporting Requirements (40CFR 60-F.7).

Continuous monitors must be operated at all times when the associated process equipment is operating except during any quality assurance and routine maintenance activities.

Monitoring Frequency: QUARTERLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 11: Air pollution prohibited

Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 11.1:



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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 12: Emission Point Definition By Emission Unit
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 12.1:

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 38

Diameter (in.): 18

NYTMN (km.): 4611.224 NYTME (km.): 587.832 Building: REACTOR

Condition 13: Process Definition By Emission Unit
Effective between the dates of 12/13/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 13.1:

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

Emission Unit: U-00001

Process: 001

Source Classification Code: 3-90-005-89

Process Description:

Fluidized bed incinerator firing No. 2 oil as auxillary fuel.

Emission Source/Control: 00002 - Control

Control Type: WET SCRUBBER, VENTURI SCRUBBER

Emission Source/Control: 00001 - Incinerator

Design Capacity: 700 pounds per hour

Waste Feed Method: AUTOMATIC PNEUMATIC FEED, SCREW
CONVEYOR

Waste Type: SEWAGE SLUDGE