

**New York State Department of Environmental Conservation  
Facility DEC ID: 3330900101**



**PERMIT  
Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air Title V Facility  
Permit ID: 3-3309-00101/00003  
Effective Date: 04/25/2006 Expiration Date: 04/24/2011

Permit Issued To: PENCOR MASADA OXYNOL LLC  
2124 CHRISTINA COVE  
BIRMINGHAM, AL 35244

Contact: DAVID WEBSTER  
1400 URBAN CENTER DR STE 125  
BIRMINGHAM, AL 35242  
(205) 968-0078

Facility: ORANGE RECYCLING & ETHANOL PROD. FAC.  
159 DOLSON AVENUE  
MIDDLETOWN, NY 10940

Contact: DAVID WEBSTER  
1400 URBAN CENTER DR STE 125  
BIRMINGHAM, AL 35242  
(205) 968-0078

**Description:**

The Orange Recycling and Ethanol Production Facility will be built in the city of Middletown in Orange County, New York. The Facility will convert municipal solid waste (MSW) and sewage sludge to fuel grade ethanol and carbon dioxide (CO<sub>2</sub>) through a concentrated acid hydrolysis- fermentation process. The primary Standard Industrial Classification (SIC) for this facility is refuse systems (4953). The plant will accept up to 230,000 wet tons/year of MSW, 32,000 tons/year of waste paper, up to 364 tons/year of septage and leachate and would produce approximately 7.1 million gallons/year of ethanol. This facility is required to obtain and comply with a separate Solid Waste Management Permit issued in accordance with 6NYCRR Part 360. Carbon Dioxide (CO<sub>2</sub>), which is a by-product of fermentation and sludge acidification, will be collected, cleaned and sold as a product. Lignin, a by-product of the cellulose to sugar conversion, and processed biosolids are gasified on-site to produce process steam. Recyclables from the MSW are recovered and sent to appropriate recyclers for additional processing. Digester gas will be used to generate steam.

The overall process consists of a series of simple unit operations. The processing steps are:

- 1) Materials Recovery Facility sorts the incoming MSW.
- 2) Sewage Sludge Receiving and Storage.
- 3) Sewage Sludge Acidification produces CO<sub>2</sub>, drops out metals, and kills pathogens.
- 4) Acid Hydrolysis converts the feed streams to sugar.



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- 5) Filtration separates the acid/sugar stream from residual solids.
- 6) Acid Evaporators concentrates the recovered acid and recycles it back into the hydrolysis process.
- 7) Neutralization and Metals Removal neutralizes the sugar prior to fermentation and removes dissolved metals such as chromium and aluminum.
- 8) Sugar Concentration concentrates the sugar stream prior to fermentation.
- 9) Alcohol Plant converts the sugar to ethanol.
- 10) Wastewater Treatment treats the wastewater prior to sending it to the Middletown Wastewater Treatment Plant.
- 11) Carbon Dioxide Plant cleans and compresses the CO<sub>2</sub> produced.
- 12) Gasifier gasifies the lignin and residual solids to produce process steam.
- 13) Package Boiler combusts natural gas to produce the balance of process steam needed by the facility.

The facility air permit contains four specific emission units including U-GASBR, U-SCRUB, U-TANKS, and U-TOWER.

U-GASBR is comprised of a 245 MMBTU/hr fluidized bed gasifier and a 124 MMBTU/hr natural gas fired package boiler. The fluidized bed gasifier is a general process subject to the air contaminant restrictions defined in 6NYCRR part 212 when combusting lignin, processed biosolids, and digester gas. In addition, the gasifier design includes auxiliary natural gas fired burners used during startup with a maximum rated capacity 95 mmBTU/hr. Therefore, the gasifier is also subject to 40 CFR 60-Dc when burning natural gas. The package boiler is subject to 40 CFR 60 Db, Standards of performance for Industrial-Commercial-Institutional Steam Generating Units when burning fossil fuels.

U-SCRUB consists of the sludge systems scrubber and the process building scrubber. Both scrubber systems are subject to air contaminant restrictions including particulates and air toxics under 6NYCRR Part 212, General Process Emission Sources.

U-TANKS is comprised of a 100,000 gallon ethanol storage tank, a 10,000 gallon ethanol day storage tank and a 10,000 gallon off-spec ethanol storage tank. The three ethanol storage tanks are subject to the requirements of 6NYCRR Part 229, Petroleum and Volatile Organic Liquid Storage Vessels. The 100,000 gallon ethanol storage tank is also subject to the requirements of 40 CFR Kb - Standards of Performance for Volatile Organic Liquid Storage Vessels.

U-TOWER consists of eight identical cooling towers with a total water throughput of 18,310 gallons per minute. The eight cooling towers are considered general processes which are subject to the air contaminant restrictions including particulate and air toxics under 6 NYCRR Part 212.

Additional on-site storage tanks supporting facility operations include a 38,100 gallon sulfuric acid storage tank, a 22,000 gallon ammonia storage tank, a 285 and 2,000 gallon No. 2 fuel oil storage tank and a 7,500 gallon gasoline storage tank.

The facility's emissions for sulfur dioxide exceeds the major source pollutant threshold listed in 6NYCRR Subpart 201-6. Therefore, the facility is subject to the provisions of Title V.

The facility is capping the annual nitrogen oxides (NO<sub>x</sub>) and sulfur dioxide (SO<sub>2</sub>) emissions to be below the threshold for 6NYCRR Part 231-2, Nonattainment New Source Review (NSR) and 40 CFR 52, Prevention of Significant Deterioration (PSD). Annual NO<sub>x</sub> emissions will be limited to less than 99.5



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tons per year. Annual SO<sub>2</sub> emissions will be limited to less than 246 tons per year. The annual SO<sub>2</sub> and NO<sub>x</sub> emissions will be calculated daily using a "Rolling Cumulative Total". The facility will be equipped with two Continuous Emissions Monitoring Systems (CEMSs) to verify facility emission limits for Nitrogen Oxide and Sulfur Dioxide emissions. One CEMS will be installed to monitor exhaust gas from the package boiler for nitrogen oxides and oxygen. The second CEMS will be installed to monitor exhaust gas from the gasifier for nitrogen oxides and sulfur dioxide. In addition, the gasifier outlet will have continuous monitoring devices to measure stack gas flow and moisture. The continuous monitoring devices that are used to demonstrate capping out of NSR and PSD regulations will comply with 40 CFR 75-Continuous Emission Monitoring.

#### General Requirements

All equipment, facilities, and systems installed or used to achieve compliance with the terms and conditions of this permit shall at all times be maintained in good working order and be operated as efficiently as possible so as to minimize air emissions.

The facility shall install and maintain continuous emissions monitors (CEMs) for NO<sub>x</sub>, SO<sub>2</sub>, O<sub>2</sub> and CO and a continuous opacity monitor (COM) for the gasifier. In addition, the facility shall install gas flow meter and moisture analyzer at the gasifier outlet. The facility shall also install and maintain a CEM for NO<sub>x</sub> and O<sub>2</sub> for the package boiler.

The facility shall conduct initial performance tests for SO<sub>2</sub>, NO<sub>x</sub>, PM, PM<sub>10</sub>, CO, VOCs, lead, opacity, cadmium, HCL, dioxin/flurans, and mercury emissions. All performance tests shall be conducted at the maximum design and operating capacity of the unit(s) being tested and/or other loads specified by NYSDEC and EPA. These performance tests shall also be subsequently conducted at least once per permit term and as required by the NYSDEC and EPA.

#### Gasifier

The maximum heat input design value of the gasifier shall not exceed 245 MMBTU/hr.

The gasifier shall only combust natural gas, lignin residue (derived from municipal solid waste), processed biosolids (derived from sewage sludge), and digester gas.

SO<sub>2</sub> emissions from the gasifier and gas-fired boiler shall not exceed the short term limit of 61.2 lbs/hr based on a 30-day rolling average on a daily basis. The gasifier shall also meet a minimum of 97% SO<sub>2</sub> removal efficiency. Facility-wide SO<sub>x</sub> emissions shall not exceed 246 tons/year.

The gasifier shall utilize a selective non-catalytic reduction (SNCR) system to control NO<sub>x</sub> emissions. NO<sub>x</sub> emissions from the gasifier shall not exceed the short term limit of 22.2 lbs/hr based on a 30-day rolling average on a daily basis. Facility wide NO<sub>x</sub> emissions shall not exceed 99.5 tons/year.

Carbon monoxide emissions from the gasifier shall not exceed 100 ppm based on a 30-day rolling average on a daily basis.

The gasifier shall utilize a dry lime injection into the gasifier unit to control SO<sub>2</sub> and acid gases. Lime



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will hydrate when mixed with the wet lignin fuel and neutralize and buffer the pH of the residual acid in the fuel. The addition of lime will be based on the quantity of lignin supplied to the unit. Operating parameters such as, but not limited to, auger speed and temperature determined during the performance tests shall become part of this permit.

The gasifier shall also utilize a spray dryer absorber system to control SO<sub>2</sub> and acid gases. The spray dryer absorber will receive hydrated lime slurry from metering skid upon a feedback signal from the SO<sub>2</sub> analyzer. A part per million (ppm) concentration setpoint in the data control system (DCS) will control the metering pump to provide slaked lime slurry in a volume sufficient to maintain SO<sub>2</sub> concentrations below the setpoint at the stack outlet. Operating parameters such as, but not limited to, pressure drop and temperature determined during the performance tests shall become part of this permit.

The gasifier shall utilize a baghouse to control particulates from the flue gas stream and provide the final polish of acid gas and ammonia capture. The PM<sub>10</sub> emission rate shall not exceed 0.01 grains/dscf. Pressure drop across the fabric filter will monitor the condition of the baghouse and used to indicate the necessity of a pulse cycle to clean rows of bags. Temperatures at the inlet and outlet to the baghouse will be monitored to determine the amount of moisture in the baghouse, which relates to the amount of lime slurry provided to the spray dryer. The temperatures will be used to indicate the amount of ammonia slip and excess HCl concentrations in the exhaust gas. The optimum pressure drop and temperature ranges for the baghouse shall be determined during the performance test and shall be part of this permit. The facility shall ensure that this optimum pressure drop and temperature ranges are maintained at all times and recorded on an hourly basis during the operation of the gasifier.

Cadmium emissions from the gasifier shall not exceed 0.02 mg/dscm, corrected to 7% oxygen.

Dioxin/Furan emissions from the gasifier shall not exceed 13ng/dscm, corrected to 7% oxygen.

Lead emissions from the gasifier shall not exceed 0.20mg/dscm, total mass, corrected to 7% oxygen.

Hydrogen chloride (HCl) percent reduction shall be a minimum of 95%.

Mercury emissions shall not exceed 0.080mg/dscm, corrected to 7% oxygen.

#### Gas-fired Boiler

The maximum heat input design value of the package boiler shall not exceed 124 MMBTU/hr.

The package boiler shall burn natural gas.

The package boiler shall be equipped with low NO<sub>x</sub> burners. NO<sub>x</sub> emissions from the package boiler alone shall not exceed 0.10 lbs/MMBTU when firing natural gas.

The package boiler shall meet the requirements of 40CFR Part 60, General Provisions, the Appendices, as well as Subpart Db.

As required by Subpart Db 60.49b(d), the facility shall calculate the annual capacity factor of the package

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boiler.

Continuous Emission Monitoring (CEM) / Continuous Opacity Monitoring

Prior to the date of startup and thereafter, the facility shall install, calibrate, maintain, and operate the following continuous monitoring systems in the gasifier and the boiler system.

The facility shall install continuous emission monitoring (CEM) systems to measure stack gas NO<sub>x</sub> (gasifier and boiler) and SO<sub>2</sub> concentrations (gasifier only), CO concentration (gasifier only) and a continuous opacity monitoring system (gasifier only). The systems shall meet EPA monitoring performance specifications (40CFR Part 60.13 and 40CFR Part 60, Appendix B, Performance Specifications 1,2 and 3 and Appendix F).

The continuous monitoring system to measure stack gas volumetric flow rates shall meet EPA monitoring performance specifications, 40CFR Part 52. Appendix E.

CEM systems to measure CO, at a minimum, shall meet EPA monitoring performance specifications of 40CFR Part 60, Appendix B, Performance Specifications 3 and 4, and 40CFR Part 60, Appendix F.

Not less than 60 days prior to the date of startup of the boiler(s), the facility shall submit to the NYSDEC and EPA a Quality Assurance Project Plan for the certification of the CEM systems. CEM performance testing may not begin until the Quality Assurance Project Plan has been approved by NYSDEC and EPA.

Upon receipt of the Quality Assurance Project Plan, the NYSDEC and EPA will provide comments to the plan within 30 days.

The facility shall notify NYSDEC and EPA 15 days in advance of the date upon which demonstration of the CEM system performance will commence (40CFR Part 60.13(c)). The CEM system performance date shall be no later than the date of the initial performance testing.

The facility shall submit a written report to NYSDEC and EPA of the results of all monitor performance specification tests conducted on the monitoring system(s) within 45 days of the completion of the tests. The continuous emission monitors must meet all the requirements of the applicable performance specification test in order for the monitors to be certified.

The facility shall submit a written report to NYSDEC and EPA identifying all non-compliance periods for every 6-month period. All semi-annual reports shall be postmarked by the 30th day following the end of each 6 month period and shall include the information specified below:

The magnitude of the non-compliance periods computed in accordance with 40CFR Part 60.13(h), any conversion factors(s) used, and the date and time of commencement and completion of each time period of non-compliance emissions.

Specific identification of each period of non-compliance emissions that occurs during startups, shutdowns, and malfunctions for the gasifier and package boiler. The nature and cause of any malfunction (if known) and the corrective action taken or preventive measures adopted shall also be reported.



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The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

When no non-compliance periods have occurred or the CEM system has not been inoperative, repaired, or adjusted, such information shall be stated in the report.

The facility shall summarize the results of quarterly monitor performance audits, as required in 40CFR Part 60, Appendix F.

The facility shall maintain a file of all measurements, including CEM system performance evaluations; all CEM systems or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40CFR Part 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurement, maintenance, reports and records.

At all times, including periods of startup, shutdown, and malfunction, the facility shall, to the extent practicable, maintain and operate the gasifier/package boiler system including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to EPA and/or NYSDEC which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the facility.

#### Performance Test Requirements

Within 60 days after achieving the maximum production rate of the gasifier/boiler, but no later than 180 days after initial startup as defined in 40CFR Part 60.2, and at such other times as specified by the NYSDEC or EPA, the facility shall conduct performance tests for SO<sub>2</sub>, NO<sub>x</sub>, PM, PM<sub>10</sub>, CO, VOCs, lead, opacity, cadmium, HCl, dioxin/furans, and mercury emissions. All performance tests shall be conducted at the maximum design operating capacity of the unit(s) being tested and on the loads specified by NYSDEC and EPA. In addition to the initial performance tests specified above, all of the above performance tests shall be subsequently conducted at least once per permit term.

At least 60 days prior to actual testing, the facility shall submit to the NYSDEC and EPA a Quality Assurance Project Plan detailing methods and procedures to be used during the performance stack testing. A Quality Assurance Project Plan that does not have NYSDEC and EPA approval may be grounds to invalidate any test and require a re-test.

The facility shall use the following test methods, or a test method which would be applicable at the time of the test and detailed in a test protocol approved by NYSDEC and EPA.

Performance tests to determine the stack gas velocity, sample area, volumetric flowrate, molecular composition, excess air of flue gases, and moisture content of flue gas shall be conducted using 40CFR Part 60, Appendix A, Methods 1, 2, 3, and 4.

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Performance tests for the emissions of NO<sub>x</sub> shall be conducted using 40CFR Part 60, Appendix A, Method 7E.

Performance tests for the emissions of SO<sub>2</sub> shall be conducted using 40CFR Part 60, Appendix A, Method 6.

Performance tests for the emissions and control efficiency of PM shall be conducted using 40CFR Part 60, Appendix A, Method 5.

Performance tests for the emissions of PM<sub>10</sub> shall be conducted using 40CFR Part 51, Appendix M, Method 201 (exhaust gas recycle procedure) or Method 201A (constant flow rate procedure) and Method 202.

Performance tests for the emissions of CO shall be conducted using 40CFR Part 60, Appendix A, Method 10.

Performance tests for the emissions of volatile organic compounds shall be conducted using 40CFR Part 60, Appendix A, Method 25A.

Performance tests for the emissions of cadmium shall be conducted using 40CFR Part 60, Appendix A, Method 29.

Performance tests for the emissions of mercury shall be conducted using 40CFR Part 60, Appendix A, Method 29.

Performance tests for the emissions of lead shall be conducted using 40CFR Part 60, Appendix A, Method 29.

Performance tests for the emissions of HCl shall be conducted using 40CFR Part 60, Appendix A, Method 26 or Method 26A, as applicable.

Performance tests for the visual determination of the opacity of emissions from the stack shall be conducted using 40CFR Part 60, Appendix A, Method 9 and the procedures stated in 40CFR Part 60.11.

Additional performance tests may be required at the discretion of the NYSDEC or EPA for any or all of the above pollutants.

For performance test purposes, sampling ports, platforms and access shall be provided by the facility on the combustion exhaust system in accordance with 40CFR Part 60.8(e).

Results of emission testing must be submitted to NYSDEC and EPA within 60 days after completion of performance tests.

Operation during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test.



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Storage Tanks

The facility shall have the following storage tanks:

- 38,100 gallon - H<sub>2</sub>SO<sub>4</sub> storage tank
- 7,500 gallon - gasoline storage tank
- 100,000 gallon - ethanol storage tank
- 10,000 gallon - ethanol day storage tank
- 10,000 gallon - off-spec ethanol storage tank
- 285 gallon - No. 2 fuel oil - fuel tank
- 2,000 gallon - No. 2 fuel oil - storage tank
- 22,000 gallon - ammonia

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:           MICHAEL D MERRIMAN  
  DIVISION OF ENVIRONMENTAL PERMITS  
  21 SOUTH PUTT CORNERS RD  
  NEW PALTZ, NY 12561-1696

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

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal-REGION 3  
HEADQUARTERS



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

**For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions**

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 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:**



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

**Condition 2: 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 and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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

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

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



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

**Item 4.1:**

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

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

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

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of Applications for Permit Modification or Renewal-REGION 3 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.5(a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 3 Headquarters  
Division of Environmental Permits  
21 South Putt Corners Road  
New Paltz, NY 12561-1696

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(845) 256-3054



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**Permit Under the Environmental Conservation Law (ECL)**

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: PENCOR MASADA OXYNOL LLC  
2124 CHRISTINA COVE  
BIRMINGHAM, AL 35244

Facility: ORANGE RECYCLING & ETHANOL PROD. FAC.  
159 DOLSON AVENUE  
MIDDLETOWN, NY 10940

Authorized Activity By Standard Industrial Classification Code:  
4953 - REFUSE SYSTEMS

Permit Effective Date: 04/25/2006

Permit Expiration Date: 04/24/2011



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-7: Facility Permissible Emissions
- \*25 6NYCRR 201-7: Capping Monitoring Condition
- \*26 6NYCRR 201-7: Capping Monitoring Condition
- 27 6NYCRR 236.3(c): Compliance Certification
- 28 6NYCRR 236.4(a): Repair requirements
- 29 6NYCRR 236.5(a): Recordkeeping and reporting requirements
- 30 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 31 40CFR 60.482-1, NSPS Subpart VV: Compressors
- 32 40CFR 60.482-1, NSPS Subpart VV: Delay of Repair
- 33 40CFR 60.482-1, NSPS Subpart VV: Difficult-to-Monitor Valves in G/V or LL Service
- 34 40CFR 60.482-1, NSPS Subpart VV: General Provisions
- 35 40CFR 60.482-1, NSPS Subpart VV: Open-Ended Valves or Lines
- 36 40CFR 60.482-1, NSPS Subpart VV: Pumps in Light Liquid Service - Dual Mechanical Seal
- 37 40CFR 60.482-1, NSPS Subpart VV: Sampling Connection Systems



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- 38 40CFR 60.482-1, NSPS Subpart VV: Unsafe-to-Monitor Valves in G/V or LL Service
- 39 40CFR 60.482-1, NSPS Subpart VV: Compliance Certification
- 40 40CFR 60.482-1, NSPS Subpart VV: Compliance Certification
- 41 40CFR 60.482-1, NSPS Subpart VV: Compliance Certification
- 42 40CFR 60.482-1, NSPS Subpart VV: Compliance Certification
- 43 40CFR 60.482-1, NSPS Subpart VV: Compliance Certification
- 44 40CFR 60.482-1, NSPS Subpart VV: Compliance Certification
- 45 40CFR 60.482-1, NSPS Subpart VV: Compliance Certification

**Emission Unit Level**

- 46 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 47 6NYCRR 201-6: Process Definition By Emission Unit
- 48 6NYCRR 201-7: Process Permissible Emissions

**EU=U-GASBR**

- 49 6NYCRR 212.11(a): Compliance Certification

**EU=U-GASBR,Proc=BLR**

- 50 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 51 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 52 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
- 53 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 54 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 55 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 56 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 57 40CFR 60.44b(a)(1), NSPS Subpart Db: Compliance Certification
- 58 40CFR 60.46b, NSPS Subpart Db: Compliance methods for oxides of nitrogen.
- 59 40CFR 60.48b(e)(2), NSPS Subpart Db: Compliance Certification
- 60 40CFR 60.48b(f), NSPS Subpart Db: Use of alternative methods for measuring NOx during CEMS downtime
- 61 40CFR 60.49b(d), NSPS Subpart Db: Compliance Certification
- 62 40CFR 60.49b(g), NSPS Subpart Db: Compliance Certification
- 63 40CFR 60.49b(h), NSPS Subpart Db: Compliance Certification

**EU=U-GASBR,Proc=GAS**

- 64 6NYCRR 200.7: Compliance Certification
- 65 6NYCRR 201-6: Compliance Certification
- 66 6NYCRR 212.4(c): Compliance Certification
- 67 6NYCRR 212.6(a): Compliance Certification
- 68 6NYCRR 212.9(a): Compliance Certification
- 69 6NYCRR 212.9(b): Compliance Certification
- 70 6NYCRR 212.9(b): Compliance Certification
- 71 6NYCRR 212.9(b): Compliance Certification
- 72 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 73 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 74 40CFR 60.8(b), NSPS Subpart A: Performance test methods.



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- 75 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 76 40CFR 60.49b(a), NSPS Subpart Db: Compliance Certification
- 77 40CFR 60.49b(d), NSPS Subpart Db: Compliance Certification

**EU=U-GASBR,EP=00001,Proc=BLR**

- 78 6NYCRR 227-1.3(a): Compliance Certification
- 79 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification - if a COM is used.

**EU=U-GASBR,EP=00001,Proc=GAS**

- 80 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification - if a COM is used.

**EU=U-SCRUB,Proc=PBS**

- 81 6NYCRR 212.11(a): Sampling and Monitoring

**EU=U-SCRUB,Proc=SRS**

- 82 6NYCRR 212.11(a): Sampling and Monitoring

**EU=U-SCRUB,EP=00002,Proc=PBS**

- 83 6NYCRR 212.6(a): Compliance Certification

**EU=U-SCRUB,EP=00002,Proc=SRS**

- 84 6NYCRR 212.6(a): Compliance Certification

**EU=U-SCRUB,EP=00003,Proc=PBS**

- 85 6NYCRR 212.6(a): Compliance Certification

**EU=U-SCRUB,EP=00003,Proc=SRS**

- 86 6NYCRR 212.6(a): Compliance Certification

**EU=U-TANKS**

- 87 6NYCRR 229.3(e)(1): VOL fixed roof storage tank requirements
- 88 6NYCRR 229.5(d): Compliance Certification

**EU=U-TANKS,Proc=TNK**

- 89 40CFR 60.112b(a), NSPS Subpart Kb: Standards for VOCs.

**EU=U-TANKS,Proc=TNK,ES=TANK1**

- 90 6NYCRR 229.1(d)(2)(v): VOL storage tanks greater than 20000 gallons - a
- 91 40CFR 60.113b(a)(1), NSPS Subpart Kb: Compliance Certification
- 92 40CFR 60.113b(a)(5), NSPS Subpart Kb: Compliance Certification
- 93 40CFR 60.115b(a), NSPS Subpart Kb: Compliance Certification
- 94 40CFR 60.116b(b), NSPS Subpart Kb: Compliance Certification
- 95 40CFR 60.116b(c), NSPS Subpart Kb: Compliance Certification

**EU=U-TOWER,Proc=TOW**



96 6NYCRR 212.4(c): Compliance Certification

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 97 ECL 19-0301: Contaminant List
- 98 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 99 6NYCRR 211.2: Air pollution prohibited
- 100 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 101 6NYCRR 225-1.8: Compliance Demonstration

**Emission Unit Level**

**EU=U-GASBR,Proc=GAS**

- 102 6NYCRR 212.9(a): Compliance Demonstration
- 103 6NYCRR 212.9(a): Compliance Demonstration
- 104 6NYCRR 212.9(a): Compliance Demonstration
- 105 6NYCRR 212.9(a): Compliance Demonstration
- 106 6NYCRR 212.9(a): Compliance Demonstration

**EU=U-SCRUB**

- 107 6NYCRR 211.2: Compliance Demonstration

NOTE: \* preceding the condition number indicates capping.



**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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order to maintain compliance with the conditions of this permit.

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

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

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

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

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

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

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

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Act;

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 200.6**

**Item 1.1:**

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



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

**Condition 2: Fees**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 2.1:**

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

**Condition 3: Recordkeeping and reporting of compliance monitoring**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 3.1:**

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

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

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

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

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 4.1:**

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



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

**Condition 5: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

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

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

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

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

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2006.  
Subsequent reports are due every 6 calendar month(s).

**Condition 6: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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following:

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

USEPA Region 2

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

The address for the RAPCE is as follows:

21 South Putt Corners Road  
New Paltz, NY 12561-1696

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due on the same day each year

**Condition 7: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 202-2.1**

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

**Item 7.2:**  
Compliance Certification shall include the following monitoring:

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

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

**Condition 8: Recordkeeping requirements**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 202-2.5**



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**Item 8.1:**

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

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

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

**Condition 9: Open Fires Prohibited at Industrial and Commercial Sites  
Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 215**

**Item 9.1:**

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

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

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

**Condition 10: Maintenance of Equipment  
Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 10.1:**

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

**Condition 11: Recycling and Salvage  
Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-1.7**



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**Item 11.1:**

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

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

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-1.8**

**Item 12.1:**

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

**Condition 13: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 13.1:**

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

**Condition 14: Trivial Sources - Proof of Eligibility**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 14.1:**

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

**Condition 15: Standard Requirement - Provide Information**

**Effective between the dates of 04/25/2006 and 04/24/2011**



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

**Item 15.1:**

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

**Condition 16: General Condition - Right to Inspect**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 16.1:**

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

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 17: Standard Requirements - Progress Reports**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 17.1:**

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

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any



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preventive or corrective measures adopted.

**Condition 18: Off Permit Changes**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 18.1:**

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

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

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

**Condition 19: Required Emissions Tests**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 202-1.1**

**Item 19.1:**

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

**Condition 20: Visible Emissions Limited**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 211.3**

**Item 20.1:**

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material



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having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**Condition 21: Accidental release provisions.**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 68**

**Item 21.1:**

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

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

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

**Condition 22: Recycling and Emissions Reduction**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 82, Subpart F**

**Item 22.1:**

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

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

**Condition 23: Emission Unit Definition**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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**Applicable Federal Requirement: 6NYCRR 201-6**

**Item 23.1:**

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

Emission Unit: U-GASBR

Emission Unit Description:

THIS EMISSION UNIT IS COMPRISED OF A 245  
MMBTU/hr FLUIDIZED BED GASIFIER AND A 124  
MMBTU/hr GAS FIRED PACKAGE BOILER.

Building(s): GASIFBLD

**Item 23.2:**

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

Emission Unit: U-SCRUB

Emission Unit Description:

THIS EMISSION UNIT IS COMPRISED OF THE  
SLUDGE SYSTEMS SCRUBBER AND THE PROCESS  
BUILDING SCRUBBER.

Building(s): PROCBLDG

**Item 23.3:**

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

Emission Unit: U-TANKS

Emission Unit Description:

THIS EMISSION UNIT IS COMPRISED OF A  
100,000 GALLON ETHANOL STORAGE TANKS, A  
10,000 GALLON ETHANOL DAY STORAGE TANK AND  
A 10,000 GALLON OFF-SPEC ETHANOL STORAGE  
TANK.

**Item 23.4:**

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

Emission Unit: U-TOWER

Emission Unit Description:

THIS EMISSION UNIT IS COMPRISED OF EIGHT  
IDENTICAL COOLING TOWERS WITH A TOTAL WATER  
THROUGHPUT OF 18,310 GALLONS PER MINUTE.

**Condition 24: Facility Permissible Emissions**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 24.1:**

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



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following

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

CAS No: 007446-09-5                      PTE: 492,000 pounds per year  
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0                      PTE: 199,000 pounds per year  
Name: OXIDES OF NITROGEN

**Condition 25: Capping Monitoring Condition**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 25.1:**

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

6NYCRR 231-2

**Item 25.2:**

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

**Item 25.3:**

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

**Item 25.4:**

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

**Item 25.5:**

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

**Item 25.6:**

The Compliance Certification activity will be performed for the Facility.



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Regulated Contaminant(s):

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

**Item 25.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Federally Enforceable Conditions Limiting NO<sub>x</sub>  
Potential-to-Emit (PTE):

The following requirements are for the sole purpose of limiting the facility's potential to emit (PTE) emissions of NO<sub>x</sub> to less than 99.5 tons/365-day. Compliance with these requirements are necessary to keep this facility as a minor source for the purposes of the 6NYCRR Part 231 regulations. Compliance with these requirements are not intended to demonstrate compliance with any applicable New Source Performance Standards (NSPS) nor any applicable State Implementation Plan (SIP) emission requirements. In the event that there is conflict/contradiction between the requirements of this PTE section and the requirements of the rest of the permit, the requirements of this PTE section shall take precedence.

I. General Requirements

1. The facility shall keep track of PTE emissions for NO<sub>x</sub> utilizing the rolling cumulative total methodology, as explained in this entire PTE section of the permit. The rolling cumulative total emissions for each of these pollutants shall be based on a rolling consecutive 365-day cumulative total. However, regardless of whether 365 days of data are accumulated, any exceedance of the annual limit, on a short-term basis or otherwise, shall constitute 365 days of violation for enforcement purposes. Daily, for the purposes of this PTE section, is defined as midnight to midnight.

2. Total NO<sub>x</sub> facility-wide actual emissions shall not exceed 99.5 tons/365-day. In the event that facility-wide actual NO<sub>x</sub> emissions exceed 100 tons/365-day, the facility shall be subject to 6NYCRR Part 231 as though construction had not yet commenced on the facility (for the purpose of determining Lowest Achievable Emission Rate, LAER). In such an event, the facility shall submit promptly a 6NYCRR

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Part 231 permit application to the NYSDEC that complies with all the applicable requirements such as LAER, emission offsets, etc.

3. For this methodology to be meaningful there must be sufficient actual CEM recorded data. Therefore, if the actual annual CEM systems data availability drops below 75%, for NO<sub>x</sub>, then this rolling cumulative total methodology will no longer be valid and the PTE for NO<sub>x</sub> for this facility shall be determined using a more conservative methodology, i.e., the maximum permitted hourly emission rate for a particular pollutant x 8,760 hours per year. In such an event, the facility shall submit promptly a 6NYCRR Part 231 permit application to the NYSDEC that complies with all the applicable requirements.

4. The CEMS shall meet a minimum of 95% actual data availability on a 365-day rolling basis. The facility shall be subjected to recordkeeping violations if the CEMS fall below the 95% availability on 365-day rolling basis. The facility shall be in violation of recordkeeping requirements only after one full year of operation. The facility shall fill in the missing gaps using the following procedures for NO<sub>x</sub>:

At 95% and above availability on a 365-day rolling basis, the facility shall use the substitution procedures in 40 CFR 75 – Missing Data. Substitution Procedures. The facility will comply with procedures in 40 CFR 75.31 during the initial missing data period. The initial missing data period is defined as during the first 8,760 hours of quality-assured monitor operating hours following initial certification of the flow monitor and NO<sub>x</sub> CEMS. After the initial missing data period, the facility will use the procedures in 40 CFR 75.33 (c)(1) to fill in the missing data gaps from the flow meter and NO<sub>x</sub> CEMS.

At below 95% availability on a 365-day rolling basis, the facility shall calculate substitute data for each hour of each missing data period by substituting the maximum hourly flow or NO<sub>x</sub> emission rate recorded by the flow monitor or NO<sub>x</sub> CEMS recorded for the missing hour during the previous 8,760 quality-assured monitor operating hours. During the initial 365 days of operation of the facility, the facility shall follow the procedures in 40

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CFR Sections 75.31 and 75.32 on how to determine hourly, percent monitor data availability.

During the missing data gap period, the facility shall demonstrate that the selective non-catalytic reduction (SNCR) system to control NO<sub>x</sub> emissions is operating within the proper parametric ranges.

5. Emissions of NO<sub>x</sub> from this facility during all periods of emissions, including startups, shutdowns, and malfunctions, shall be included in the rolling cumulative total calculations.

6. For each calendar day, starting from the facility's initial day of operation, the facility shall calculate the rolling cumulative total for NO<sub>x</sub>.

**II. Continuous Emission Monitoring (CEM) NO<sub>x</sub> Requirements for the Rolling Cumulative Total Methodology**

1. For the purposes of this PTE section, in addition to the other CEM requirements contained in this permit, the facility shall also meet the following requirements.

2. The facility shall install, maintain, and operate a continuous gas flow meter, an oxygen monitor, and a moisture analyzer at the gasifier baghouse outlet.

3. The facility shall install, maintain and operate two NO<sub>x</sub> CEM systems to measure NO<sub>x</sub> emissions from the gasifier and the gas-fired boiler, separately.

4. The facility shall install, maintain and operate a continuous monitor to measure oxygen on a dry basis from the gas-fired boiler.

5. The facility shall provide substitute NO<sub>x</sub> CEM data for the gasifier or the gas-fired boiler whenever the gasifier or gas-fired boiler combusts any fuel and a valid, quality-assured hour of NO<sub>x</sub> concentration data (in ppm) has not been measured and recorded for the gasifier or gas-fired boiler by a certified NO<sub>x</sub> diluent CEM (e.g., due to inoperable CEM while the facility is operating). The facility, in substituting NO<sub>x</sub> CEM missing data, shall



follow the procedures in 40 CFR 75 Subpart D – Missing Data Substitution Procedures as delineated in Condition I.6 above.

**III. Determining Rolling Cumulative Total for NOx Emissions**

1. For each day, the sum of the facility-wide NOx emissions from the previous 365 days shall not be greater than 99.5 tons of NOx. As emissions from each new successive day are added, emissions from the oldest day shall be dropped so that the cumulative sum will always be a rolling 365-day total. However, regardless of whether 365 days of data are accumulated, any exceedance of the annual limit (short-term or otherwise) shall constitute 365 days of violation for enforcement purposes.

2. Total rolling cumulative NOx emissions shall be calculated as follows:

$$RCT_{365}NO_x = \frac{\sum_{n=1}^{n-365} \text{Daily}NO_x}{n-1}$$

days)

where:  
 RCT<sub>365</sub>NO<sub>x</sub> = Rolling cumulative total NOx emissions for any 365-day period.

$$\sum_{n=1}^{n-365} \text{Daily}NO_x = \text{Sum of facility-wide daily NOx emissions for the previous 365 days.}$$

3. Total facility-wide daily NOx emissions shall be calculated as follows:

$$\text{Daily NO}_x = \text{Daily-Eg}(\text{NO}_x) + \text{Daily-Eb}(\text{NO}_x) + \text{Daily-Eee}(\text{NO}_x)$$

where:  
 Daily-Eg(NO<sub>x</sub>) = Total daily NOx emissions from the gasifier.  
 Daily-Eb(NO<sub>x</sub>) = Total daily NOx emissions from the gas-fired boiler.

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Daily-Eee(NOx) = Total daily NOx emissions from the emergency equipment.

4. Gasifier hourly and daily NOx emissions shall be calculated as follows:

$$Eg(1\text{-hour}) = (CxMWxQ(1\text{-hour})) / (Vx1000000)$$

$$\text{Daily-Eg(NOx)} = \sum_{n=1}^{n=24} \text{Eg(1-hour)}$$

where:

Q (1-hour) = Volumetric flow rate  
(dscf/hr)

Eg(1-hour) = Emissions in lb/hr of pollutant

C = Pollutant concentration in ppmvd

MW = Molecular weight of pollutant  
(lb/lb-mole)

V = Volume occupied by 1 mole of ideal gas

at STP

(385.27 ft<sup>3</sup>/lb-mole @ 68 F and 1 atm)

5. Gas-fired boiler hourly and daily NOx emissions shall be calculated as follows:

$$Eb(1\text{-hour}) = (CxMWxQ(1\text{-hour})) / (Vx1000000)$$

$$\text{Daily-Eb(NOx)} = \sum_{n=1}^{n=24} \text{Eb(1-hour)}$$

where:

Q (1-hour) = Volumetric flow rate  
(dscf/hr)

Eb(1-hour) = Emissions in lb/hr of pollutant

C = Pollutant concentration in ppmvd

MW = Molecular weight of pollutant  
(lb/lb-mole)

V = Volume occupied by 1 mole of ideal gas

at STP

(385.27 ft<sup>3</sup>/lb-mole @ 68 F and 1 atm)

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Since there is no volumetric flow monitor installed at the gas-fired boiler, the facility shall determine hourly stack gas volumetric flow rate in accordance with 40 CFR Part 60, Appendix A, Method 19. Method 19 provides a procedure to calculate volumetric flow rate using fuel factor (for natural gas 8,710 dsf/MMBTU) and fuel rates.

6. Emergency equipment daily NOx emissions shall be calculated as follows:

$$\text{Daily-Eee(NOx)} = \text{DGNOx} + \text{FWPNOx}$$

where:

DGNOx = Total daily NOx emission from the actual use of the emergency generator.

FWPNOx = Total daily NOx emissions from the actual use of the water pump for testing purposes.

7. The emergency equipment shall consist of one diesel generator (300 kw) and one fire water pump (155 BHP). The facility shall only burn diesel fuel in the emergency equipment and shall not exceed the manufacturer's recommended hours of operation for exercising and testing purposes. The facility shall utilize AP-42 emission factors and the actual hours of operation to determine the NOx emissions from the emergency equipment.

8. Actual hours of use of the fire water pump to extinguish actual fire emergencies shall not be included in the rolling cumulative total.

9. Actual hours of use of the diesel generator during a loss of electrical supply shall not be included in the rolling cumulative total, provided the diesel generator is used to achieve a controlled shutdown (not for continued operation of the facility).

10. If the facility operates the emergency diesel generator and the fire water pump, each for 5 hours or less/year, the facility may forgo the emergency equipment emissions calculations in this section and assume 0.06 ton/365-day for NOx.

V. Recordkeeping/Notification Requirements



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1. The facility shall keep records of all the facility-wide daily emissions for NO<sub>x</sub>.
2. The facility shall also keep records regarding the calculations of the rolling cumulative total and the missing CEM data.
3. The facility shall keep records on how it determined the percent CEM data availability on a daily basis. Percent CEM data availability shall be computed based on procedures in 40 CFR Part 75 Subpart D.
4. The facility shall keep a log containing the hours of operation and the number of gallons of fuel burned in the diesel generator and the fire water pump together with the reason(s) for operating each equipment.
5. The facility shall notify the EPA and the NYSDEC in writing, within 15 days of its occurrence, whenever the rolling cumulative total limit has been exceeded.
6. Records needed to determine PTE emissions for NO<sub>x</sub> shall be kept for a minimum of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/24/2007 for the period 04/25/2006 through 04/24/2007

**Condition 26: Capping Monitoring Condition**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 26.1:**

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

40CFR 52-A

**Item 26.2:**

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

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**Item 26.3:**

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

**Item 26.4:**

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

**Item 26.5:**

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

**Item 26.6:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5    SULFUR DIOXIDE

**Item 26.7:**

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Federally Enforceable Conditions Limiting SO<sub>2</sub>  
Potential-to-Emit (PTE):

The following requirements are for the sole purpose of limiting the facility's potential to emit (PTE) emissions of SO<sub>2</sub> to less than 246 tons/365-day. Compliance with these requirements are necessary to keep this facility as a minor source for the purposes of the Prevention of Significant Deterioration of Air Quality (PSD). Compliance with these requirements are not intended to demonstrate compliance with any applicable New Source Performance Standards (NSPS) nor any applicable State Implementation Plan (SIP) emission requirements. In the event that there is conflict/contradiction between the requirements of this PTE section and the requirements of the rest of the permit, the requirements of this PTE



section shall take precedence.

I. General Requirements

1. The facility shall keep track of PTE emissions for SO<sub>2</sub>, utilizing the rolling cumulative total methodology, as explained in this entire PTE section of the permit. The rolling cumulative total emissions for each of these pollutants shall be based on a rolling consecutive 365-day cumulative total. However, regardless of whether 365 days of data are accumulated, any exceedance of the annual limit, on a short-term basis or otherwise, shall constitute 365 days of violation for enforcement purposes. Daily, for the purposes of this PTE section, is defined as midnight to midnight.

2. Total SO<sub>2</sub> facility-wide actual emissions shall not exceed 246 tons/365-day. In the event that facility-wide actual SO<sub>2</sub> emissions exceed 250 tons/365-day, the facility shall be subject to the Prevention of Significant Deterioration of Air Quality (PSD) regulations codified under 40 CFR Part 52.21 as though construction had not yet commenced on the facility (for the purpose of determining Best Available Control Technology, BACT). In such an event, the facility shall submit promptly a PSD permit application to the NYSDEC that complies with all the applicable requirements such as BACT, air quality analysis, etc.

3. In accordance with 40 CFR 52.21(r)(4), a relaxation of any of the conditions or restrictions in this permit will subject this facility to the Prevention of Significant Deterioration of Air Quality regulations as though construction had not yet commenced on the facility, if the relaxation causes the facility to become a major source. In such an event, the facility shall submit promptly a PSD permit application to the NYSDEC that complies with all the applicable requirements such as BACT, air quality analysis, etc.

4. For this methodology to be meaningful there must be sufficient actual CEM recorded data. Therefore, if the actual annual CEM systems data availability drops below 75%, for SO<sub>2</sub>, then this rolling cumulative total methodology will no longer be valid and the PTE for SO<sub>2</sub> for this facility shall be determined using a more conservative methodology, i.e., the maximum permitted

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hourly emission rate for a particular pollutant x 8,760 hours per year. In such an event, the facility shall submit promptly a PSD permit application to the NYSDEC that complies with all the applicable requirements.

5. The CEMS shall meet a minimum of 95% actual data availability on a 365-day rolling basis. The facility shall be subjected to recordkeeping violations if the CEMS fall below the 95% availability on 365-day rolling basis. The facility shall be in violation of recordkeeping requirements only after one full year of operation. The facility shall fill in the missing gaps using the following procedures for SO<sub>2</sub>:

At 95% and above availability on a 365-day rolling basis, the facility shall comply with procedures in 40 CFR 75.31 during the initial missing data period. The initial missing data period is defined as during the first 8,760 hours of quality-assured monitor operating hours following initial certification of the flow monitor and SO<sub>2</sub> CEMS. During the initial missing data period, the facility will use the procedures in 40 CFR 75.33 (b) and 40 CFR 75.33 (c)(1) to fill in the missing data gaps from the SO<sub>2</sub> CEMS and flow meter, respectively.

At below 95% availability on a 365-day rolling basis, the facility shall calculate substitute data for each hour of each missing data period by substituting the maximum hourly flow or SO<sub>2</sub> emission rate recorded by the flow monitor or SO<sub>2</sub> CEMS recorded for the missing hour during the previous 8,760 quality-assured monitor operating hours. During the initial 365 days of operation of the facility, the facility shall follow the procedures in 40 CFR Sections 75.31 and 75.32 on how to determine hourly, percent monitor data availability.

During the missing data gap period, the facility shall demonstrate that the spray dryer absorber system to control SO<sub>2</sub> emissions is operating within the proper parametric ranges.

6. Emissions of SO<sub>2</sub> from this facility during all periods of emissions, including startups, shutdowns, and malfunctions, shall be included in the rolling cumulative total calculations.

7. For each calendar day, starting from the facility's



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initial day of operation, the facility shall calculate the rolling cumulative total for SO<sub>2</sub>.

**II. Continuous Emission Monitoring (CEM) SO<sub>2</sub> Requirements for the Rolling Cumulative Total Methodology**

1. For the purposes of this PTE section, in addition to the other CEM requirements contained in this permit, the facility shall also meet the following requirements.

2. The facility shall install, maintain, and operate a continuous gas flow meter, an oxygen monitor, and a moisture analyzer at the gasifier baghouse outlet.

3. The facility shall install, maintain, and operate one SO<sub>2</sub> CEM system to measure SO<sub>2</sub> emissions from the gasifier.

4. The facility shall install, maintain and operate a continuous monitor to measure oxygen on a dry basis from the gas-fired boiler.

5. The facility shall provide substitute SO<sub>2</sub> and/or substitute volumetric flow CEM data for the gasifier whenever the gasifier combusts any fuel and a valid, quality-assured hour of SO<sub>2</sub> concentration data (in ppm) has not been measured and recorded for the gasifier by a certified SO<sub>2</sub> pollutant concentration monitor and/or a valid, quality-assured hour of flow data (in standard cubic feet per hour) has not been measured and recorded for the gasifier from a certified flow monitor (e.g., due to inoperable CEMs or inoperable volumetric flowmeters while the gasifier is operating). The facility, in substituting SO<sub>2</sub> and/or volumetric flow CEM missing data, shall follow the procedures in 40 CFR 75 Subpart D – Missing Data Substitution Procedures as delineated in Condition I.6 above.

**III. Determining Rolling Cumulative Total for SO<sub>2</sub> Emissions**

1. For each day, the sum of the facility-wide SO<sub>2</sub> emissions from the previous 365 days shall not be greater

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than 246 tons of SO<sub>2</sub>. As emissions from each new successive day are added, emissions from the oldest day shall be dropped so that the cumulative sum will always be a rolling 365-day total. However, regardless of whether 365 days of data are accumulated, any exceedance of the annual limit (short-term or otherwise) shall constitute 365 days of violation for enforcement purposes.

2. Rolling cumulative total SO<sub>2</sub> emissions shall be calculated as follows:

$$\text{RCT365-SO}_2 = \sum_{n=1}^{n-365} \text{DailySO}_2 \text{ (sum of previous 365 days)}$$

where:  
RCT365-SO<sub>2</sub> = Rolling cumulative total SO<sub>2</sub> emissions for any 365-day period.

$$\sum_{n=1}^{n-365} \text{DailySO}_2 = \text{Sum of facility-wide daily SO}_2 \text{ emissions for the previous 365}$$

days.

$$n - 1$$

3. Total facility-wide daily SO<sub>2</sub> emissions shall be calculated as follows:

$$\text{DailySO}_2 = \text{Daily-Eg(SO}_2) + \text{Daily-Eb(SO}_2) + \text{Daily-Eee(SO}_2)$$

where:  
Daily-Eg(SO<sub>2</sub>) = Total daily SO<sub>2</sub> emissions from the gasifier.  
Daily-Eb(SO<sub>2</sub>) = Total daily SO<sub>2</sub> emissions from the gas-fired boiler.  
Daily-Eee(SO<sub>2</sub>) = Total daily SO<sub>2</sub> emissions from the emergency equipment.

4. Gasifier hourly and daily SO<sub>2</sub> emissions shall be calculated as follows:

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$$Eg(1\text{-hour}) = (CxMWxQ(1\text{-hour})) / (Vx1000000)$$

$$\text{Daily-Eg}(\text{SO}_2) = \sum_{n=1}^{n=24} \text{Eg}(1\text{-hour})$$

where:

Q (1-hour) = Volumetric flow rate (dscf/hr)

Eg(1-hour) = Emissions in lb/hr of pollutant

C = Pollutant concentration in ppmvd

MW = Molecular weight of pollutant

(lb/lb-mole)

V = Volume occupied by 1 mole of ideal gas

at STP

(385.27 ft<sup>3</sup>/lb-mole @ 68 F and 1 atm)

5. Gas-fired boiler daily SO<sub>2</sub> emissions shall be calculated as follows:

$$\text{Daily-Eb}(\text{SO}_2) = \text{EF} \times \text{FR}$$

where:

Daily -Eb(SO<sub>2</sub>) = Emissions in lb/day of pollutant

EF = AP-42 Emission Factor for Natural Gas

Combustion

(lb/million

cubic feet)

FR = Daily Fuel Rate (million cubic

feet/day)

6. The facility shall calculate daily SO<sub>2</sub> emissions from the emergency equipment as follows:

$$\text{Daily-Eee}(\text{SO}_2) = \text{DGSO}_2 + \text{FWPSO}_2$$

where:

DGSO<sub>2</sub> = Total daily SO<sub>2</sub> emission from the actual use of the diesel generator.

FWPSO<sub>2</sub> = Total daily SO<sub>2</sub> emissions from the actual use of the fire water pump for testing purposes.

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7. The emergency equipment shall consist of one diesel generator (300 kw) and one fire water pump (155 BHP). The facility shall only burn diesel fuel in the emergency equipment and shall not exceed the manufacturer's recommended hours of operation for exercising and testing purposes. The facility shall utilize AP-42 emission factors and the actual hours of operation to determine the SO<sub>2</sub> emissions from the emergency equipment.

8. Actual hours of use of the fire water pump to extinguish actual fire emergencies shall not be included in the rolling cumulative total.

9. Actual hours of use of the diesel generator during a loss of electrical supply shall not be included in the rolling cumulative total, provided the diesel generator is used to achieve a controlled shutdown (not for continued operation of the facility).

10. If the facility operates the emergency diesel generator and the fire water pump, each for 5 hours or less/year, the facility may forgo the emergency equipment emissions calculations in this section and assume 0.004 ton/365-day for SO<sub>2</sub>.

**V. Recordkeeping/Notification Requirements**

1. The facility shall keep records of all the facility-wide daily emissions for SO<sub>2</sub>.

2. The facility shall also keep records regarding the calculations of the rolling cumulative total and the missing CEM data.

3. The facility shall keep records on how it determined the percent CEM data availability on a daily basis. Percent CEM data availability shall be computed based on procedures in 40 CFR Part 75 Subpart D.

4. The facility shall keep a log containing the hours of operation and the number of gallons of fuel burned in the diesel generator and the fire water pump together with the reason(s) for operating each equipment.

5. The facility shall notify the EPA and the NYSDEC in writing, within 15 days of its occurrence, whenever the

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rolling cumulative total limit has been exceeded.

6. Records needed to determine PTE emissions for SO<sub>2</sub> shall be kept for a minimum of five years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 27: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 236.3(c)**

**Item 27.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 27.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator of a synthetic organic chemical manufacturing facility must also comply with the following component standards:

(1) Pumps in light liquid service must be visually inspected each calendar week for evidence of liquids dripping. Any leaks detected during visual inspection must be repaired in accordance with Part 236.4.

(2) Pressure relief devices in gas/vapor service must be monitored for leaks within 5 days of an over-pressure

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release. Any leaks detected during monitoring must be repaired in accordance with Part 236.4.

(3) Open-ended valves or lines in gas/vapor or light liquid service must be sealed with either a second valve, blind flange, cap, or plug. The sealing device may only be removed while a sample is being taken or during maintenance operations:

(i) When a second valve is used, each open-ended line or valve equipped with a second valve shall be operated in such a manner that the valve on the process fluid end is closed before the second valve is closed, and

(ii) When a double block-and-bleed system is used, the bleed valve or line may remain open only during operations that require venting of the line between the block valves, but shall be closed at all other times.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 28: Repair requirements**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 236.4(a)**

**Item 28.1:**

Any owner or operator of a synthetic organic chemical manufacturing facility shall repair leaking components in accordance with this section.

**Condition 29: Recordkeeping and reporting requirements**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 236.5(a)**

**Item 29.1:**

The owner or operator of a synthetic organic chemical manufacturing facility subject to this Part must develop and conduct a leak detection and repair plan consistent with the provisions of this Part.

**Condition 30: Monitoring requirements.**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A**

**Item 30.1:**

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated



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in accordance with the requirements of section 60.13.

**Condition 31: Compressors**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 31.1:**

Pursuant to §60.482-3, each compressor shall be equipped with a seal system that includes a barrier fluid system and that prevents leakage of VOC to the atmosphere, except compressors equipped with closed vent systems under paragraph 60.482-3(h) and compressors designated for no detectable emissions under paragraph 482-3(i). Each compressor seal system shall be :

- a) operated with the barrier fluid at a pressure that is greater than the stuffing box pressure; or
- b) equipped with a barrier fluid degassing reservoir that is connected by a closed vent system to a control device that complies with §60.482-10; or,
- c) equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.

Item 31.2: The barrier fluid system shall be in heavy liquid service or shall not be in VOC service.

Item 31.3: Each barrier system shall be equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both. Each sensor shall be checked daily or shall be equipped with an audible alarm, and the owner or operator shall determine, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier system, or both.

Item 31.4: If the sensor indicates failure of the the seal system, the barrier fluid system or both, a leak is detected.

Item 31.5: When a leak is detected, it shall be repaired as soon as practicable but not later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

**Condition 32: Delay of Repair**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 32.1:**

Pursuant to §60.482-9, delay of repair of equipment for which leaks have been detected will be allowed if the repair is technically infeasible without a process unit shutdown. repair of this equipment shall occur before the end of the next process unit shutdown.

Item 32.2:

Delay of repair of equipment will be allowed for equipment which is isolated from the process and which does not remain in VOC service.

Item 32.3:



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Delay of repair for valves will be allowed if:

- a) the owner or operator demonstrates that emissions of purged material resulting from immediate repair are greater than the fugitive emissions likely to result from delay of repair, and
- b) when repair procedures are effected, the purged material is collected and destroyed or recovered in a control device complying with §60.482-10.

Item 32.4:

Delay of repair for pumps will be allowed if:

- a) repair requires the use of a dual mechanical seal system that includes a barrier fluid system, and
- b) repair is completed as soon as practicable, but not later than 6 months after the leak was detected.

Item 32.5:

Delay of repair beyond a process unit shutdown will be allowed for a valve, if valve assembly replacement is necessary during the process unit shutdown, valve assembly supplies have been depleted, and valve assembly supplies had been sufficiently stocked before the supplies were depleted. Delay of repair beyond the next process unit shutdown will not be allowed unless the next process unit shutdown occurs sooner than 6 months after the first process unit shutdown.

**Condition 33: Difficult-to-Monitor Valves in G/V or LL Service**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 33.1:**

Any valve that is designated as unsafe to monitor under §60.482-7(h) and 486(f)(2), is exempt from monthly leak detection requirements if:

- a) the owner or operator of the valve demonstrates that the valve cannot be monitored without elevating the monitoring personnel more than 2 meters above a support surface,
- b) the process unit within which the valve is located either becomes an affected facility through §60.14 or §60.15 or the owner or operator designates less than 3.0 percent of the total number of valves as difficult to monitor, and
- c) the owner or operator of the valve adheres to a written plan that requires the valve to be monitored at least once per calendar year.

**Condition 34: General Provisions**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 34.1:**

Each owner and operator shall demonstrate compliance with all of the applicable requirements of 40 CFR 60-VV.482 within 180 days of initial startup. Compliance shall be determined by review of records and reports, review of performance test results, and inspections using methods and procedures acceptable to the Administrator.

**Condition 35: Open-Ended Valves or Lines**  
**Effective between the dates of 04/25/2006 and 04/24/2011**



**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 35.1:**

Pursuant to §60.482-6, each open-ended valve or line shall be equipped with a cap, blind flange, plug, or a second valve. The cap, blind flange, plug or second valve shall seal the open end at all times except during operations requiring process fluid flow through the open-ended valve or line.

**Item 35.2:**

Each open-ended valve or line equipped with a second valve shall be operated in a manner such that the valve on the process fluid end is closed before the second valve is closed.

**Item 35.3:**

When a double block-and-bleed system is being used, the bleed valve or line may remain open during operations that require venting the line between the block valves but shall comply with Item 2 above at all other times.

**Condition 36: Pumps in Light Liquid Service - Dual Mechanical Seal**  
Effective between the dates of 04/25/2006 and 04/24/2011

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 36.1:**

Pursuant to §60.482-2(d), each pump in light liquid service that is equipped with a dual mechanical seal system that includes a barrier fluid system is exempt from the requirements of paragraph (a), providing the following requirements are met:

- a) Each dual mechanical seal system is operated with the barrier fluid at a pressure that is at all times greater than the stuffing box pressure. Or it is equipped with a barrier fluid degassing reservoir that is connected by a closed vent system to a control device that complies with §60.482-10. Or, it is equipped with a system that purges the barrier fluid into a process stream with zero VOC emissions to the atmosphere.
- b) The barrier fluid system is in heavy liquid service or is not in VOC service.
- c) Each barrier system is equipped with a sensor that will detect failure of the seal system, the barrier fluid system, or both. Each sensor is checked daily or is equipped with an audible alarm, and the owner or operator determines, based on design considerations and operating experience, a criterion that indicates failure of the seal system, the barrier system, or both.
- d) Each pump is checked by visual inspection, each calendar week, for indications of liquids dripping from the pump seals.
- e) If there are indications of liquids dripping from the pump seal or the sensor indicates failure of the seal system, the barrier fluid system or both, a leak is detected.
- f) When a leak is detected, it shall be repaired as soon as practicable but not later than 15 calendar days



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after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

**Condition 37: Sampling Connection Systems**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 37.1:**

Each sampling connection system shall be equipped with aclosed-purged, closed-loop, or closed-vent system. Each such system shall comply with one or more of the following:

- a) Return the purged process fluid directly to the process line, or
- b) Collect and recycle the purged process fluid to a process, or
- c) Be designed and operated to capture and transport all the purged process fluid to a control device that complies with §60.482-10.

**Condition 38: Unsafe-to-Monitor Valves in G/V or LL Service**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 38.1:**

Any valve that is designated as unsafe to monitor under §60.482-7(g) and 486(f)(1), is exempt from monthly leak detection requirements if:

- a) the owner or operator of the valve demonstrates that the valve is unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with §60.482-7(a), and
- b) the owner or operator of the valve adheres to a written plan that requires the valve to be monitored as frequently as practicable during safe-to-monitor times.

**Condition 39: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 39.1:**

The Compliance Certification activity will be performed for the Facility.

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

**Item 39.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:



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Any compressor designated for no detectable emissions under paragraph 60.482-3(i), as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs 60.482-3(a)-(h) if the compressor:

- 1) is demonstrated to be operating with no detectable emissions as indicated by an instrument reading less than 500 ppm above background as measured by the methods specified in §60.485(c), and
- 2) is tested for compliance with the 500 ppm limit upon designation, annually, and at other times requested by the Administrator.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 500 parts per million (by volume)

Reference Test Method: Method 21

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 40: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 40.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 40.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

- 1) Pursuant to §60.482-4, except during pressure releases, each pressure relief device in gas/vapor service shall be operated with no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, as measured by the methods specified in



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§60.485(c).

- 2) No later than 5 calendar days after the pressure release, the pressure relief device shall be monitored to confirm the conditions of no detectable emissions as indicated by an instrument reading of less than 500 ppm above background, by the methods specified in §60.485(c).

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 500 parts per million (by volume)

Reference Test Method: method 21

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 41: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 41.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 41.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

- 1) Pursuant to §60.482-8, pumps and valves in heavy liquid service, pressure relief devices in heavy or light liquid service, and flanges and other connectors shall be monitored within 5 days by the methods specified in §60.485(b) if evidence of a potential leak is found by visual, audible, olfactory or any other detection method. If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

- 2) When a leak is detected it shall be repaired as soon



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as practicable, but no later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 10000 parts per million (by volume)

Reference Test Method: method 21

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 42: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 42.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 42.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

1) Pursuant to §60.482-2, each pump in light liquid service shall be monitored monthly to detect leaks by the methods specified in §60.485(b), except pumps with dual mechanical seals under §482-2(d), pumps designated for no detectable emissions under §482-2(e), and pumps equipped with a closed vent system under §482-2(f). If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

2) Each pump in light liquid service shall be checked by visual inspection each calendar week for indications of liquids dripping from the pump seal. If there are any such indications, a leak is detected.



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- 3) When a leak is detected it shall be repaired as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 10000 parts per million (by volume)

Reference Test Method: method 21

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 43: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 43.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 43.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Any pump designated for no detectable emissions under paragraph 60.482-2(e), as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs 60.482-2(a), (c), and (d) if the pump:

- 1) Has no externally actuated shaft penetrating the pump housing,
- 2) is demonstrated to be operating with no detectable emissions as indicated by an instrument reading less than 500 ppm above background as measured by the methods specified in §60.485(c), and
- 3) is tested for compliance with the 500 ppm limit upon



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designation, annually, and at other times requested by the Administrator.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 500 parts per million (by volume)

Reference Test Method: method 21

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 44: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 44.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 44.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

1) Pursuant to §60.482-7, each valve in gas/vapor or light liquid service shall be monitored monthly by the methods specified in §60.485(b), except valves designated for no detectable emissions under §482-7(f), valves designated as unsafe to monitor under §482-7(g), and valves designated as difficult to monitor under §482-7(h). If an instrument reading of 10,000 ppm or greater is measured, a leak is detected.

2) Any valve for which a leak is not detected for 2 successive months may be monitored the first month of every quarter, beginning with the next quarter, until a leak is detected. If a leak is detected, the valve shall be monitored monthly until a leak is not detected for 2 successive months.

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3) When a leak is detected it shall be repaired as soon as practicable, but no later than 15 calendar days after it is detected, except as provided in §60.482-9 (Delay of Repair). A first attempt at repair shall be made no later than 5 calendar days after each leak is detected.

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 10000 parts per million (by volume)

Reference Test Method: method 21

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 45: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.482-1, NSPS Subpart VV**

**Item 45.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 45.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Any valve designated for no detectable emissions under paragraph 60.482-7(f), as indicated by an instrument reading of less than 500 ppm above background, is exempt from the requirements of paragraphs 60.482-7(a) if the valve:

- 1) Has no externally actuating mechanism in contact with the process fluid,
- 2) Is operated with emissions less than 500 ppm above background as measured by the methods specified in §60.485(c), and
- 3) Is tested for compliance with the 500 ppm limit upon



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designation, annually, and at other times requested by the Administrator.

Parameter Monitored: CONCENTRATION  
Upper Permit Limit: 500 parts per million (by volume)  
Reference Test Method: method 21  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2006.  
Subsequent reports are due every 6 calendar month(s).

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

**Condition 46: Emission Point Definition By Emission Unit  
Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-6**

**Item 46.1:**

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

Emission Unit: U-GASBR  
  
Emission Point: 00001  
Height (ft.): 100                      Diameter (in.): 104

**Item 46.2:**

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

Emission Unit: U-SCRUB  
  
Emission Point: 00002  
Height (ft.): 66                      Diameter (in.): 58  
  
Building: PROCBLDG  
  
Emission Point: 00003  
Height (ft.): 66                      Diameter (in.): 32  
  
Building: PROCBLDG

**Item 46.3:**

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



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Emission Unit: U-TOWER

Emission Point: 00004  
Height (ft.): 38                      Diameter (in.): 132

Emission Point: 00005  
Height (ft.): 38                      Diameter (in.): 132

Emission Point: 00006  
Height (ft.): 38                      Diameter (in.): 132

Emission Point: 00007  
Height (ft.): 38                      Diameter (in.): 132

Emission Point: 00008  
Height (ft.): 38                      Diameter (in.): 132

Emission Point: 00009  
Height (ft.): 38                      Diameter (in.): 132

Emission Point: 00010  
Height (ft.): 38                      Diameter (in.): 132

Emission Point: 00011  
Height (ft.): 38                      Diameter (in.): 132

**Condition 47: Process Definition By Emission Unit**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-6**

**Item 47.1:**

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

Emission Unit: U-GASBR  
Process: BLR    Source Classification Code: 1-02-006-01  
Process Description:  
THE 124 MMBTU/hr PACKAGE BOILER PROVIDES  
THE BALANCE OF STEAM FOR PROCESSES AT THE  
PROPOSED FACILITY. NATURAL GAS IS THE ONLY  
GAS USED IN THE PACKAGE BOILER.

Emission Source/Control: BLR01 - Combustion  
Design Capacity: 123.6 million Btu per hour

**Item 47.2:**

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

Emission Unit: U-GASBR

Process: GAS

Source Classification Code: 3-99-999-99

Process Description:

STEAM FOR PROCESSES AT THE ORANGE RECYCLING & ETHANOL PRODUCTION FACILITY IS PROVIDED BY A 245 MMBTU/hr FLUIDIZED BED GASIFIER AND A 124 MMBTU/hr PACKAGE BOILER. THE PRIMARY SOURCE OF STEAM IS GENERATED FROM THE GASIFIER THROUGH OXIDATION OF RESIDUAL LIGNIN, PROCESSED BIOSOLIDS, AND DIGESTER GAS. THE PACKAGE BOILER IS LISTED AS A SEPARATE PROCESS WHICH PROVIDES THE BALANCE OF THE STEAM. THE GASIFIER UTILIZES ONE 15 MMBTU/hr AND TWO 40 MMBTU/hr (TOTAL 95 mmBTU/hr) NATURAL GAS BURNERS FOR START UP BEFORE INTRODUCING THE LIGNIN TO RAISE THE TEMPERATURE OF THE SYSTEM DURING THE FIRST FIVE HOURS OF STARTUP. FIVE STARTUPS AND SHUTDOWNS PER YEAR ARE PROJECTED WITH EACH STARTUP TAKING EIGHT HOURS AND EACH SHUTDOWN TAKING ONE HOUR. THEREFORE, TOTAL START UP TIME IS APPROXIMATELY 40 HRS PER YEAR AND TOTAL SHUTDOWN TIME APPROXIMATELY 5 HRS PER YEAR.

Emission Source/Control: GAS06 - Combustion

Design Capacity: 245 million Btu per hour

Emission Source/Control: GAS01 - Control

Control Type: SELECTIVE NON-CATALYTIC REDUCTION (SNCR)

Emission Source/Control: GAS03 - Control

Control Type: WET LIMESTONE INJECTION

Emission Source/Control: GAS04 - Control

Control Type: FLUID BED DRY SCRUBBER

Emission Source/Control: GAS05 - Control

Control Type: FABRIC FILTER

**Item 47.3:**

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



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Emission Unit: U-SCRUB

Process: PBS

Source Classification Code: 3-99-999-99

Process Description:

PROCESS BUILDING SCRUBBER CONTROLS  
POSSIBLE ODOROUS AIR EMISSIONS FROM BELT  
PRESSES, BELT PRESS FILTRATE TANKS, THE  
LIGNIN WASH TANK AND ASSOCIATED CONVEYORS.

Emission Source/Control: SCR02 - Control

Control Type: WET SCRUBBER

Emission Source/Control: PSCR1 - Process

**Item 47.4:**

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

Emission Unit: U-SCRUB

Process: SRS

Source Classification Code: 3-99-999-99

Process Description:

SLUDGE SYSTEMS SCRUBBER CONTROLS EMISSIONS  
AND ODORS FROM THE SEWAGE SLUDGE RECEIVING  
AREA AND THE ENCLOSED BLENDED SLUDGE  
STORAGE TANK.

Emission Source/Control: SCR01 - Control

Control Type: WET SCRUBBER

Emission Source/Control: SSCR1 - Process

**Item 47.5:**

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

Emission Unit: U-TANKS

Process: TNK

Source Classification Code: 4-07-158-09

Process Description: ETHANOL STORAGE TANKS.

Emission Source/Control: TANK1 - Process

Design Capacity: 100,000 gallons

Emission Source/Control: TANK2 - Process

Design Capacity: 10,000 gallons

Emission Source/Control: TANK3 - Process

Design Capacity: 10,000 gallons

**Item 47.6:**

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

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Emission Unit: U-TOWER

Process: TOW

Source Classification Code: 3-85-001-10

Process Description:

EIGHT COOLING TOWERS ARE INCLUDED IN A  
CLOSED LOOP COOLING WATER SYSTEM.

Emission Source/Control: TOW01 - Process

Emission Source/Control: TOW02 - Process

Emission Source/Control: TOW03 - Process

Emission Source/Control: TOW04 - Process

Emission Source/Control: TOW05 - Process

Emission Source/Control: TOW06 - Process

Emission Source/Control: TOW07 - Process

Emission Source/Control: TOW08 - Process

**Condition 48: Process Permissible Emissions**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-7**

**Item 48.1:**

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-GASBR

Process: GAS

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

PTE(s): 61.2 pounds per hour

492,000 pounds per year

246 tons

**Condition 49: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.11(a)**

**Item 49.1:**



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The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

**Item 49.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Within 60 days after achieving the maximum production rate of the gasifier, but no later than 180 days after initial startup as defined in 40 CFR Part 60.2, and at such other times as specified by the NYSDEC or EPA, the Orange Recycling and Ethanol Production Facility shall conduct initial performance tests for SO<sub>2</sub>, NO<sub>x</sub>, PM, PM<sub>10</sub>, CO, VOCs, Lead, Opacity, Cadmium, Hydrogen Chloride,, Dioxins/Furans, and Mercury emissions. All performance tests shall be conducted at the maximum design operating capacity of the unit(s) being tested and/or other loads specified by NYSDEC and EPA. These performance tests shall be subsequently conducted at least once per permit term and as required by the NYSDEC and EPA.

At least 60 days prior to actual testing, the facility shall submit to the NYSDEC and EPA a Quality Assurance Project Plan detailing methods and procedures to be used during the performance stack testing.

The facility shall use the following test methods, or a test method which would be applicable at the time of the test and detailed in a test protocol approved by NYSDEC and EPA.

Performance tests to determine the stack gas velocity, sample area, volumetric flowrate, molecular composition, excess air of flue gases, and moisture content of flue gas shall be conducted using 40CFR Part 60, Appendix A, Methods 1,2 3, and 4.

Performance tests for the emissions of NO<sub>x</sub> shall be conducted using 40CFR Part 60, Appendix A, Method 7E.

Performance tests for the emissions of SO<sub>2</sub> shall be conducted using 40CFR Part 60, Appendix A, Method 6.

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Performance tests for the emissions and control efficiency of PM shall be conducted using 40CFR Part 60, Appendix A, Method 5.

Performance tests for the emissions of PM10 shall be conducted using 40CFR Part 51, Appendix M, Method 201 (exhaust gas recycle procedure) or Method 201A (constant flow rate procedure) and Method 202.

Performance tests for the emissions of CO shall be conducted using 40CFR Part 60, Appendix A, Method 10.

Performance tests for the emissions of volatile organic compounds shall be conducted using 40CFR Part 60, Appendix A, Method 25A.

Performance tests for the emissions of cadmium shall be conducted using 40CFR Part 60, Appendix A, Method 29.

Performance tests for the emissions of mercury shall be conducted using 40CFR Part 60, Appendix A, Method 29.

Performance tests for the emissions of lead shall be conducted using 40CFR Part 60, Appendix A, Method 29.

Performance tests for the emissions of HCl shall be conducted using 40CFR Part 60, Appendix A, Method 26 or Method 26A, as applicable.

Performance tests for the visual determination of the opacity of emissions from the stack shall be conducted using 40CFR Part 60, Appendix A, Method 9 and the procedures stated in 40CFR Part 60.11.

Additional performance tests may be required at the discretion of the NYSDEC or EPA for any or all of the above pollutants.

For performance test purposes, sampling ports, platforms and access shall be provided by the facility on the combustion exhaust system in accordance with 40CFR Part 60.8(e).



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Results of emission testing must be submitted to NYSDEC and EPA within 60 days after completion of performance tests.

Operation during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 50: Recordkeeping requirements.**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 50.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: BLR

**Item 50.2:**

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

**Condition 51: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 51.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR  
Process: BLR

**Item 51.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report semi-annually based on the calendar year (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These

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reports shall be postmarked no later than 30 calendar days following the end of the reporting period, and shall contain the following information:

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

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 52: Excess Emissions Report**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 52.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: BLR

**Item 52.2:**

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

**Condition 53: Facility files for subject sources.**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

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**Item 53.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: BLR

**Item 53.2:**

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

**Condition 54: Performance testing timeline.**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 54.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: BLR

**Item 54.2:**

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

**Condition 55: Performance test methods.**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 55.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: BLR

**Item 55.2:**

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

**Condition 56: Prior notice.**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 56.1:**

This Condition applies to Emission Unit: U-GASBR

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Process: BLR

**Item 56.2:**

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

**Condition 57: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 57.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: BLR

Regulated Contaminant(s):

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

**Item 57.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Oxides of nitrogen standard for  
industrial/commercial/institutional stream generating  
units.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.10 pounds per million Btus

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 58: Compliance methods for oxides of nitrogen.**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.46b, NSPS Subpart Db**

**Item 58.1:**

This Condition applies to Emission Unit: U-GASBR

Process: BLR



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**Item 58.2:**

Oxides of nitrogen emission standards in section 40 CFR 60-Db.44b shall apply at all times.

**Condition 59: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.48b(e)(2), NSPS Subpart Db**

**Item 59.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: BLR

Regulated Contaminant(s):

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

**Item 59.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

When burning coal, oil, or natural gas, the span value of the Continuous Emission Monitoring System used to measure Nitrogen Oxides (NOx) emissions shall be:

Fuel	Span Value for Nitrogen Oxides in PPM
Natural Gas	500
Oil	500
Coal	1000
Mixture of above	$500(x+y) + 1000(z)$

Where:

x is the fraction of total heat input derived from natural gas

y is the fraction of total heat input derived from oil, and

z is the fraction of total heat input derived from coal.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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



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**Condition 60: Use of alternative methods for measuring NO<sub>x</sub> during CEMS downtime**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 60.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: BLR

**Item 60.2:**

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

**Condition 61: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 61.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR  
Process: BLR

**Item 61.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

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**Condition 62: Compliance Certification**

Effective between the dates of 04/25/2006 and 04/24/2011

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

**Item 62.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: BLR

Regulated Contaminant(s):

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

**Item 62.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 1) Calendar date.
- 2) The average hourly nitrogen oxides emission rates (expressed as NO<sub>2</sub>) (ng/J or lb/million Btu heat input) measured or predicted.
- 3) The 30-day average nitrogen oxides emission rates (ng/J or lb/million Btu heat input) calculated at the end of each steam generating unit operating day from the measured or predicted hourly nitrogen oxide emission rates for the preceeding 30 steam generating unit operating days.
- 4) Identification of the steam generating unit operating days when the calculated 30-day average nitrogen oxides emission rates are in excess of the nitrogen oxides emission standards under 40CFR60.44b, with the reasons for such excess emissions as well as a description of corrective actions taken.
- 5) Identification of the steam generating unit operating days for which pollutant data have not been obtained, including reasons for not obtaining sufficient data and a description of corrective actions taken.
- 6) Identification of the times when emission data have been excluded from the calculation of average emission rates and the reasons for excluding data.



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- 7) Identification of the "F" factor used for calculations, method of determination, and type of fuel combusted.
- 8) Identification of the times when the pollutant concentration exceeded the full span of the continuous monitoring system.
- 9) Description of any modifications to the continuous monitoring system that could affect the ability of the system to comply with Performance Specification 2 or 3.
- 10) Results of daily CEMS drift tests and quarterly accuracy assessments as required under 40CFR60 Appendix F, Procedure 1.

Monitoring Frequency: DAILY  
Reporting Requirements: QUARTERLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2006.  
Subsequent reports are due every 3 calendar month(s).

**Condition 63: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 63.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR  
Process: BLR

**Item 63.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.



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The initial report is due 7/30/2006.  
Subsequent reports are due every 6 calendar month(s).

**Condition 64: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 64.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR  
Process: GAS

**Item 64.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Operating temperature within the secondary oxidation zone  
of the gasifier shall be between 1650 and 1750 degrees  
Fahrenheit during normal operation excluding start-up,  
shut down and up-set conditions.

Parameter Monitored: TEMPERATURE  
Lower Permit Limit: 1650 degrees Fahrenheit  
Upper Permit Limit: 1750 degrees Fahrenheit  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 24 HOUR DAILY AVERAGE (ARITHMETIC  
MEAN)

Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 65: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 201-6**

**Item 65.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR  
Process: GAS



**New York State Department of Environmental Conservation**

**Permit ID: 3-3309-00101/00003**

**Facility DEC ID: 3330900101**

**Item 65.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The maximum heat input design value of the gasifier shall not exceed 245 mmBTU/hr. The facility shall demonstrate that the maximum rated capacity of the gasifier is less than or equal to 245 mmBTU/hr during the performance testing. The gasifier shall only combust natural gas, lignin residue, processed biosolids and digester gas. The facility shall determine gasifier heat input using energy/mass balance curves generated by performance testing data, fuel analysis and the volumetric flow rates at standard dry cubic feet per minute (SDCFM) corrected to 7 %. The calculated SDCFM and the energy/mass balance curves will be used to calculate the gasifier heat input on a continuous basis. An annual average gasifier heat input shall be calculated by averaging the heat input for a 365-day period.

Parameter Monitored: HEAT INPUT

Upper Permit Limit: 245 million Btu per hour

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING  
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 66: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.4(c)**

**Item 66.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 66.2:**



**New York State Department of Environmental Conservation**

**Permit ID: 3-3309-00101/00003**

**Facility DEC ID: 3330900101**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The gasifier shall utilize a baghouse to control particulates from the flue gas stream and provide the final polish of acid gas and ammonia capture. The PM10 emission rate shall not exceed 0.01 grains/dscf. Pressure drop across the fabric filter will monitor the condition of the baghouse and used to indicate the necessity of a pulse cycle to clean rows of bags. Temperatures at the inlet and outlet to the baghouse will be monitored to determine the amount of moisture in the baghouse which relates to the amount of lime slurry provided to the spray dryer. The optimum pressure drop and temperature ranges for the baghouse shall be determined during the performance test and shall be part of this permit. The facility shall ensure that this optimum pressure drop and temperature ranges are maintained at all times and recorded on an hourly basis during the operation of the gasifier. A certification verifying compliance with this permit condition shall be provided annually by the permittee.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 67: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 67.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 67.2:**

Compliance Certification shall include the following monitoring:



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**Facility DEC ID: 3330900101**

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility will demonstrate compliance with the opacity limit of not to exceed 20% for any 6-minute average period at the gasifier baghouse outlet using the COMS. The facility will submit quarterly excess emissions reports.

Manufacturer Name/Model Number: CEM

Upper Permit Limit: 20 percent

Reference Test Method: Method 5

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 68: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.9(a)**

**Item 68.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

**Item 68.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Facility will comply with the following short term emission limits:

61.2 lbs/hr of SO<sub>2</sub>.

22.2 lbs/hr of NO<sub>x</sub>.

100 ppm of CO.

Compliance with short-term NO<sub>x</sub>, SO<sub>2</sub> and CO emission limits will be demonstrated at the gasifier baghouse outlet on a 30-day rolling average, on a daily basis.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)



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**Facility DEC ID: 3330900101**

Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 69: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.9(b)**

**Item 69.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR  
Process: GAS

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

**Item 69.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Table 2 of 6NYCRR Part 212 specifies a 97% degree of air cleaning for "B" rated contaminants with an Emission Rate Potential greater than 1,500 lbs/hr but less than 4,000 lbs/hr. Emission testing will be performed in accordance with permit conditions 6 NYCRR 212.11(a).

Parameter Monitored: SULFUR DIOXIDE

Lower Permit Limit: 97 percent reduction by weight

Reference Test Method: TO BE DETERMINED

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE AT ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 70: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.9(b)**

**Item 70.1:**



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**Facility DEC ID: 3330900101**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 70.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The gasifier shall also utilize a spray dryer absorber system to control SO<sub>2</sub> and acid gases. The spray dryer absorber will receive hydrated lime slurry from metering skid upon a feedback signal from the SO<sub>2</sub> analyzer. A ppm concentration setpoint in the data control system (DCS) will control the metering pump to provide slaked lime slurry in a volume sufficient to maintain SO<sub>2</sub> concentrations below the setpoint at the stack outlet. Operating parameters such as, but not limited to, pressure drop and temperature determined during the performance tests shall become part of this permit.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 71: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.9(b)**

**Item 71.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 71.2:**

Compliance Certification shall include the following monitoring:

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**Facility DEC ID: 3330900101**



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The gasifier shall utilize a dry lime injection into the gasifier unit to control SO<sub>2</sub> and acid gases. Lime will hydrate when mixed with the wet lignin fuel and neutralize and buffer the pH of the residual acid in the fuel. The addition of lime will be based on the quantity of lignin supplied to the unit. Operating parameters such as, but not limited to, auger speed and temperature determined during the performance tests shall become part of this permit.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 72: Recordkeeping requirements.  
Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 72.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: GAS

**Item 72.2:**

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

**Condition 73: Performance testing timeline.  
Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 73.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: GAS

**Item 73.2:**

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

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**Condition 74: Performance test methods.**  
Effective between the dates of 04/25/2006 and 04/24/2011

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

**Item 74.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: GAS

**Item 74.2:**

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

**Condition 75: Prior notice.**  
Effective between the dates of 04/25/2006 and 04/24/2011

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

**Item 75.1:**

This Condition applies to Emission Unit: U-GASBR  
Process: GAS

**Item 75.2:**

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

**Condition 76: Compliance Certification**  
Effective between the dates of 04/25/2006 and 04/24/2011

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

**Item 76.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR  
Process: GAS

**Item 76.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

(2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR Part 60.42b(d)(1), 60.43b(a)(2), (a)(3)(iii), (c)(2)(ii), (d)(2)(iii), 60.44b(c), (d), (e), (i), (j), (k), 60.45b(d), (g), 60.46b(h), or 60.48b(i),

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 77: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 77.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

**Item 77.2:**

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 78: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 78.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-GASBR Emission Point: 00001

Process: BLR

**Item 78.2:**

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: WEEKLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.



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**Permit ID: 3-3309-00101/00003**

**Facility DEC ID: 3330900101**

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

**Condition 79: Date of Construction Notification - if a COM is used.  
Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 79.1:**

This Condition applies to Emission Unit: U-GASBR Emission Point: 00001  
Process: BLR

**Item 79.2:**

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

- 1) a notification of the date construction or reconstruction commenced, postmarked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, postmarked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR 60. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, postmarked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and
- 7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

**Condition 80: Date of Construction Notification - if a COM is used.  
Effective between the dates of 04/25/2006 and 04/24/2011**

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

**Item 80.1:**

This Condition applies to Emission Unit: U-GASBR Emission Point: 00001  
Process: GAS



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**Facility DEC ID: 3330900101**

**Item 80.2:**

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

- 1) a notification of the date construction or reconstruction commenced, postmarked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, postmarked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR 60. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, postmarked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and
- 7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

**Condition 81: Sampling and Monitoring**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.11(a)**

**Item 81.1:**

This Condition applies to Emission Unit: U-SCRUB  
Process: PBS

**Item 81.2:**

The owner and/or operator of this facility, if required by the department to conduct stack testing to demonstrate compliance with 6 NYCRR Part 212, must comply with notification requirements and conduct capture efficiency and/or stack testing using acceptable procedures pursuant to 6 NYCRR Part 202.

**Condition 82: Sampling and Monitoring**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.11(a)**

**Item 82.1:**



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This Condition applies to Emission Unit: U-SCRUB  
Process: SRS

**Item 82.2:**

The owner and/or operator of this facility, if required by the department to conduct stack testing to demonstrate compliance with 6 NYCRR Part 212, must comply with notification requirements and conduct capture efficiency and/or stack testing using acceptable procedures pursuant to 6 NYCRR Part 202.

**Condition 83: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 83.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-SCRUB Emission Point: 00002  
Process: PBS

**Item 83.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. 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 immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.



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If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of all permittees subject to Title V must include a summary of these instances.

Monitoring Frequency: WEEKLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 84: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 84.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-SCRUB Emission Point: 00002  
Process: SRS

**Item 84.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. 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



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below while the process is in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of all permittees subject to Title V must include a summary of these instances.

Monitoring Frequency: WEEKLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 85: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 85.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-SCRUB Emission Point: 00003  
Process: PBS

**Item 85.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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**Monitoring Description:**

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. 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 immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of all permittees subject to Title V must include a summary of these instances.

Monitoring Frequency: WEEKLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 86: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**



**Applicable Federal Requirement: 6NYCRR 212.6(a)**

**Item 86.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-SCRUB    Emission Point: 00003  
Process: SRS

**Item 86.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. 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 immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of



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all permittees subject to Title V must include a summary of these instances.

Monitoring Frequency: WEEKLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2007.  
Subsequent reports are due every 12 calendar month(s).

**Condition 87: VOL fixed roof storage tank requirements**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 229.3(e)(1)**

**Item 87.1:**

This Condition applies to Emission Unit: U-TANKS

**Item 87.2:**

For a fixed roof storage tank storing volatile organic liquids, the tank must be equipped with an internal floating roof with a liquid-mounted primary seal and gasket fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-free for other purposes.

**Condition 88: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 229.5(d)**

**Item 88.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-TANKS

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

**Item 88.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a volatile organic liquid storage tank that is subject to 6NYCRR Part 229 must maintain a record of the capacity (in gallons) of the volatile organic liquid storage tank at the facility.

Monitoring Frequency: SINGLE OCCURRENCE



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Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 89: Standards for VOCs.**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.112b(a), NSPS Subpart Kb**

**Item 89.1:**

This Condition applies to Emission Unit: U-TANKS  
Process: TNK

**Item 89.2:**

Petroleum liquids stored at vapor pressures of greater than or equal to 5.2 kPa and less than 76.6 kPa shall be stored in a vessel with a fixed roof in combination with an internal floating roof which meets the design criteria of section 40 CFR 60-Kb.112b.

**Condition 90: VOL storage tanks greater than 20000 gallons - a**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 229.1(d)(2)(v)**

**Item 90.1:**

This Condition applies to Emission Unit: U-TANKS  
Process: TNK Emission Source: TANK1

**Item 90.2:**

The storage tank must be equipped with an internal floating roof with a liquid-mounted primary seal and gasket fittings or equivalent control. Replacement of other than liquid-mounted seals is to be performed when the tank is cleaned and gas-freed for other purposes.

**Condition 91: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.113b(a)(1), NSPS Subpart Kb**

**Item 91.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-TANKS  
Process: TNK Emission Source: TANK1

**Item 91.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall visually inspect the internal



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floating roof, the primary seal, and the secondary seal (if one is in service), prior to filling the storage vessel with Volatile Organic Liquid. If there are holes, tears, or other openings in the primary seal, secondary seal, or the seal fabric, or defects in the internal floating roof, or both, the owner or operator shall repair the items before filling the storage vessel.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 92: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.113b(a)(5), NSPS Subpart Kb**

**Item 92.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-TANKS

Process: TNK                      Emission Source: TANK1

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 92.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall notify the Administrator in writing at least 30 days prior to the filling or refilling of each storage vessel for which an inspection is required.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 93: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.115b(a), NSPS Subpart Kb**

**Item 93.1:**

The Compliance Certification activity will be performed for:



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Emission Unit: U-TANKS

Process: TNK                      Emission Source: TANK1

Regulated Contaminant(s):

CAS No: 0NY998-00-0    VOC

**Item 93.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep a record of each inspection performed to monitor the condition of the internal floating roof. Each record shall identify the storage vessel on which the inspection was performed and shall contain the date the vessel was inspected and the observed condition of each component of the control equipment (seals, internal floating roof, and fittings).

After each inspection that finds holes or tears in the seal or seal fabric, defects in the internal floating roof, or other control equipment defects, a report shall be furnished to the Administrator within 30 days of the inspection. The report shall identify the storage vessel, the nature of the defects, and the type and date of each repair made.

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 7/30/2006.

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

**Condition 94: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.116b(b), NSPS Subpart Kb**

**Item 94.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-TANKS

Process: TNK                      Emission Source: TANK1



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

**Item 94.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. These records shall be kept on site for the life of the storage vessel.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 95: Compliance Certification**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 40CFR 60.116b(c), NSPS Subpart Kb**

**Item 95.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-TANKS

Process: TNK Emission Source: TANK1

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

**Item 95.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall maintain a record of the Volatile Organic Liquid (VOL) stored, the period of storage, and the maximum true vapor pressure of that VOL during the respective storage period. These records shall be kept on site for a minimum of 2 years.

Note: The above time frames are new source performance standards (NSPS) requirements. Other Title V permit requirements pursuant to 6 NYCRR 201-6.5(c)(2) requires



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these records to be maintained for at least five (5) years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 96: Compliance Certification**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable Federal Requirement: 6NYCRR 212.4(c)**

**Item 96.1:**

The Compliance Certification activity will be performed for:

Emission Unit: U-TOWER

Process: TOW

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 96.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operating parameters including fan speed, pH control and temperature will be recorded by a computerized system to ensure proper operations of the cooling towers. pH controls will be linked to control the caustic addition and temperature control fan speed. Data will be recorded on a daily basis. The design drift rate shall be 0.005%. The facility shall not use chromium-based water treatment chemicals in the cooling tower.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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



**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

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

**Condition 97: Contaminant List  
Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: ECL 19-0301**

**Item 97.1:**

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

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permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 001746-01-6

Name: 2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN

CAS No: 007440-43-9

Name: CADMIUM

CAS No: 007647-01-0

Name: HYDROGEN CHLORIDE

CAS No: 007439-92-1

Name: LEAD

CAS No: 007439-97-6

Name: MERCURY

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY998-00-0

Name: VOC

**Condition 98: Unavoidable noncompliance and violations**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 201-1.4**

Item 98.1:

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



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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 99: Air pollution prohibited**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 99.1:**

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

**Condition 100: Compliance Demonstration**  
**Effective between the dates of 04/25/2006 and 04/24/2011**



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

**Item 100.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 100.2:**

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 distillate fuel oil which has a sulfur content greater than the limit presented below. 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: 1.5 percent

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

**Condition 101: Compliance Demonstration**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 225-1.8**

**Item 101.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 101.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

a. fuel analyses and data on the quantities of all

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residual and distillate oil and coal received, burned or sold;

b. the names of all purchasers of all residual and distillate oil and coal sold;

c. any results of stack sampling, stack monitoring and other procedures used to ensure compliance with the provisions of 6 NYCRR Part 225-1.

Fuel analyses must contain, as a minimum, data on the sulfur content, specific gravity and heating value of any residual oil, distillate oil or coal received, burned or sold. Ash content shall also be included in the fuel analyses for any residual oil or coal received, burned or sold.

These records shall be retained for a minimum period of three years. If the facility is subject to Title V requirements the minimum record retention period shall be five years. The records shall be made available for inspection by department staff during normal business hours. In addition, copies of such records shall be furnished to department staff upon request. All required sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

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

**Condition 102: Compliance Demonstration**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 212.9(a)**

**Item 102.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-GASBR

Process: GAS



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Regulated Contaminant(s):  
CAS No: 007440-43-9    CADMIUM

**Item 102.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
Stack testing will be conducted as required by the department in accordance with permit condition 6 NYCRR 212.11(a).

Upper Permit Limit: 0.02 milligrams per dry standard cubic meter (corrected to 7% oxygen)  
Reference Test Method: Method 29  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 103: Compliance Demonstration**  
**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 212.9(a)**

**Item 103.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-GASBR  
Process: GAS

Regulated Contaminant(s):  
CAS No: 007647-01-0    HYDROGEN CHLORIDE

**Item 103.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
Stack testing will be conducted as required by the department in accordance with permit condition 6 NYCRR 212.11(a).

Lower Permit Limit: 95 percent reduction by weight (corrected to 7% O<sub>2</sub>, dry basis)  
Reference Test Method: Method 26



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 104: Compliance Demonstration**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 212.9(a)**

**Item 104.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

Regulated Contaminant(s):

CAS No: 001746-01-6 2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN

**Item 104.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Stack testing will be conducted as required by the  
department in accordance with permit condition 6 NYCRR  
212.11(a).

Upper Permit Limit: 13 nanograms per dry standard cubic  
meter (total mass, corrected to 7%  
O<sub>2</sub>)

Reference Test Method: Method 23

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 105: Compliance Demonstration**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 212.9(a)**

**Item 105.1:**

The Compliance Demonstration activity will be performed for:



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Emission Unit: U-GASBR

Process: GAS

Regulated Contaminant(s):

CAS No: 007439-92-1 LEAD

**Item 105.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Stack testing will be conducted as required by the department in accordance with permit condition 6 NYCRR 212.11(a)

Upper Permit Limit: 0.20 milligrams per dry standard cubic meter (corrected to 7% oxygen)

Reference Test Method: Method 29

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 106: Compliance Demonstration**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 212.9(a)**

**Item 106.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-GASBR

Process: GAS

Regulated Contaminant(s):

CAS No: 007439-97-6 MERCURY

**Item 106.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Stack testing will be conducted as required by the department in accordance with permit condition 212.11(a).

Upper Permit Limit: 0.080 milligrams per dry standard



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cubic meter (corrected to 7% oxygen)

Reference Test Method: Method 29

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 107: Compliance Demonstration**

**Effective between the dates of 04/25/2006 and 04/24/2011**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 107.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-SCRUB

**Item 107.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operating parameters including pH control and pressure drops will be recorded by a computerized system to ensure proper operations of the scrubbers. pH controls will be linked to control the caustic addition and pressure differential will be link to control fan speed. Data will be recorded on a daily basis.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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