



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 3-5522-00074/02001
Effective Date: 09/09/2009 Expiration Date: No expiration date

Permit Issued To: METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK, NY 10017-3701

METROPOLITAN TRANSPORTATION AUTHORITY
347 MADISON AVE
NEW YORK, NY 10017

Contact: METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK, NY 10017-3701
(914) 461-0572

Facility: METRO-NORTH RAILROAD HARMON YARD
1 CROTON POINT AVE
CROTON-ON-HUDSON, NY 10520

Description:

The Metro-North Railroad Harmon Yard is used for the maintenance of equipment utilized by Metro-North Railroad. The facility will be maintaining several combustion sources. These sources will be permitted under a State Facility Permit to operate under the following fuel usage limits.

- a) 1,100,000 gallons of low sulfur No. 2 fuel oil or less in four new boilers equipped with low NOx technology (process DLN);
- b) 1,200,000 gallons of low sulfur No.2 fuel oil or less in uncontrolled combustion equipment (process D01);
- c) 100,000 gallons of waste oil or less in uncontrolled waste oil combustion equipment (process W01); and,
- d) 30 million cubic feet per year of natural gas in exempt combustion sources.

Each consecutive 12-month period will be calculated by summing the individual monthly fuel usage or purchase quantities for the permitted and exempt air emission sources at the Harmon Yard. Fuel oil and natural gas usage quantities will be quantified via fuel purchase records, and waste oil quantities will be quantified by measuring the actual waste oil burned. The fuel oil delivered to the four new permitted boilers equipped with low NOx technology will be metered and separately tracked. These records will be maintained for a 5-year period.

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



Special Conditions included as part of this permit.

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

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and
Determinations

Applications for permit renewals, modifications and transfers
Permit modifications, suspensions or revocations by the Department

Facility Level

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



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

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

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

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

Condition 4: Permit modifications, suspensions or revocations by the Department



Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 3 Headquarters
Division of Environmental Permits
21 South Putt Corners Road
New Paltz, NY 12561-1696
(845) 256-3054



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: METRO-NORTH COMMUTER RAILROAD COMPANY
347 MADISON AVE
NEW YORK, NY 10017-3701

METROPOLITAN TRANSPORTATION AUTHORITY
347 MADISON AVE
NEW YORK, NY 10017

Facility: METRO-NORTH RAILROAD HARMON YARD
1 CROTON POINT AVE
CROTON-ON-HUDSON, NY 10520

Authorized Activity By Standard Industrial Classification Code:
4111 - LOCAL AND SUBURBAN TRANSIT

Permit Effective Date: 09/09/2009
date.

Permit Expiration Date: No expiration



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 3 6NYCRR 200.7: Maintenance of Equipment
- 4 6NYCRR 201-1.7: Recycling and Salvage
- 5 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 6 6NYCRR 202-1.1: Required Emissions Tests
- 7 6NYCRR 201-7: Facility Permissible Emissions
- *8 6NYCRR 201-7: Capping Monitoring Condition
- *9 6NYCRR 201-7: Capping Monitoring Condition
- *10 6NYCRR 201-7: Capping Monitoring Condition
- 11 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 12 6NYCRR 225-2.5(a): Permitting requirements.
- 13 6NYCRR 227-1.3(a): Compliance Demonstration
- 14 6NYCRR 230.2(h): Prohibited practices at stage II vapor collection systems
- 15 6NYCRR 230.2(j): Compliance Demonstration
- 16 6NYCRR 230.5(c): Gasoline Dispensing Sites - Recordkeeping and Reporting
- 17 6NYCRR 230.5(d): Compliance Demonstration
- 18 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions

Emission Unit Level

EU=H-00001

- 19 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration

EU=H-00001,Proc=D01

- *20 6NYCRR 201-7: Capping Monitoring Condition

EU=H-00001,Proc=DLN

- *21 6NYCRR 201-7: Capping Monitoring Condition

EU=H-00001,Proc=W01

- *22 6NYCRR 201-7: Capping Monitoring Condition
- 23 6NYCRR 225-2.3(b)(3): Compliance Demonstration
- 24 6NYCRR 225-2.4: Compliance Demonstration
- 25 6NYCRR 225-2.4: Compliance Demonstration
- 26 6NYCRR 225-2.7: Compliance Demonstration

EU=H-00002

- 27 6NYCRR 230.2(a)(1): No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.
- 28 6NYCRR 230.2(g): Compliance Demonstration
- 29 6NYCRR 230.2(k): Compliance Demonstration
- 30 6NYCRR 230.2(k): Compliance Demonstration
- 31 6NYCRR 230.5(a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS



Facility Level

- 32 ECL 19-0301: Contaminant List
- 33 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 34 6NYCRR 201-5: Emission Unit Definition
- 35 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 36 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 37 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS



The following conditions are federally enforceable.

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 09/09/2009 and Permit Expiration Date

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 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: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 215

Item 2.1:

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

Condition 3: Maintenance of Equipment
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 200.7

Item 3.1:

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 4: Recycling and Salvage
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-1.7

Item 4.1:

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 5: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-1.8



Item 5.1:

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

Condition 6: Required Emissions Tests
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 202-1.1

Item 6.1:

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 7: Facility Permissible Emissions
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 7.1:

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

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

CAS No: 007446-09-5	PTE: 120,000 pounds per year
Name: SULFUR DIOXIDE	

CAS No: 0NY210-00-0	PTE: 45,000 pounds per year
Name: OXIDES OF NITROGEN	

Condition 8: Capping Monitoring Condition
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 8.1:

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 201-6

Item 8.2:

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



Item 8.3:

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 8.4:

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 8.5:

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 8.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 8.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The quantity of natural gas to be used by all exempt sources at the site is limited to 30 million cubic feet per year.

Parameter Monitored: NATURAL GAS

Upper Permit Limit: 30,000,000 cubic feet

Monitoring Frequency: MONTHLY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 9: Capping Monitoring Condition

Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 9.1:

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 201-6
6NYCRR 231-2

Item 9.2:

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

Item 9.3:

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 9.4:

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 9.5:

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 9.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 9.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility is limiting its annual NO_x emissions to 22.5 tons. Emissions calculations shall be submitted annually as part of the annual compliance certification reports. These calculations shall show that all combustions sources, including the exempt sources, emit below the the herein set limit.

The facility will calculate annual emissions for each 12-month period by adding up the individual monthly fuel



usage of purchased quantities of fuel for the permitted air emission sources at the Harmon Yard. Fuel oil and natural gas usage quantities will be quantified via fuel purchase records and waste oil quantities will be quantified by measuring actual waste oil burned. The fuel oil to be used by the Low NO_x equipped burners will be separately metered and tracked. These records shall be maintained at the site for five years and shall be made available to the department upon request.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 45,000 pounds per year

Monitoring Frequency: ANNUALLY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 10: Capping Monitoring Condition
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7

Item 10.1:

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 201-6
40CFR 52-A

Item 10.2:

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

Item 10.3:

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 10.4:

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.



a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.37 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 12: Permitting requirements.
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225-2.5(a)

Item 12.1:

Except as provided in subdivision (b) of this section, no person may initiate construction of a new emission source, or modification, or operate an air contamination source in which waste fuel is to be burned until all applicable provisions of this Subpart have been met and the necessary permits to construct and/or certificates to operate may have been issued in accordance with Part 201 of this Title.

Condition 13: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

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

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 13.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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



there is cause to believe that visible emissions have the potential to exceed the opacity standard.

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

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 12 calendar month(s).

Condition 14: Prohibited practices at stage II vapor collection systems
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 230.2(h)

Item 14.1:

The modification, removal, replacement or addition of any element which would render the stage II vapor collection system inoperative or impair its integrity and efficiency is prohibited.

Condition 15: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 230.2(j)

Item 15.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 15.2:



Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Stage II systems must be constructed and maintained to prevent accumulations of liquids which block vapor return lines. Underground vapor lines must be sloped from the dispensers to the underground storage tanks or equipped with a condensate trap to allow liquid to accumulate without blocking the vapor return line. All vapor return line condensate traps must be accessible and must be emptied periodically to prevent blockage.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 16: Gasoline Dispensing Sites - Recordkeeping and Reporting
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 230.5(c)

Item 16.1:

The owner or operator of a gasoline dispensing site must conspicuously post a copy of the registration form required by 6 NYCRR Part 201 at the gasoline dispensing site in a location accessible for inspection during operational hours.

Condition 17: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 230.5(d)

Item 17.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and/or operators of gasoline dispensing sites required to perform tests of stage II systems pursuant to 6 NYCRR Part 230.2(k) must submit a notarized report of test results to the department within 30 days of the test. These test results must also be retained at the gasoline dispensing site for five years following the test, and must be made available for inspection by the commissioner's representative during normal business hours.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 18: Applicability of Subpart A General Provisions
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 18.1:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

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

Condition 19: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

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

Item 19.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001

Item 19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.50 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 20: Capping Monitoring Condition
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 20.1:



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 201-6
6NYCRR 231-2

Item 20.2:

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

Item 20.3:

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 20.4:

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 20.5:

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 20.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001
Process: D01

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

Item 20.7:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The quantity of No.2 Oil that will be used by the combustion sources with uncontrolled emissions is limited to 1,200,000 gallons per year.

Parameter Monitored: NUMBER 2 OIL



Upper Permit Limit: 1,200,000 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 12 calendar month(s).

Condition 21: Capping Monitoring Condition
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 21.1:

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 201-6
6NYCRR 231-2

Item 21.2:

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

Item 21.3:

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 21.4:

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 21.5:

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 21.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001
Process: DLN

Regulated Contaminant(s):



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

Item 21.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The quantity of No.2 Oil that will be used by the four
boilers equipped with low NOx burners 1,100,000 gallons
per year.

Parameter Monitored: NUMBER 2 OIL

Upper Permit Limit: 1,100,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 22: Capping Monitoring Condition
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 22.1:

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 201-6

6NYCRR 231-2

Item 22.2:

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

Item 22.3:

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 22.4:

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 22.5:

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 22.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001

Process: W01

Regulated Contaminant(s):

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

Item 22.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The quantity of waste oil consumed by the waste oil burners with uncontrolled emission is limited to 100,000 gallons per year.

Parameter Monitored: WASTE OIL

Upper Permit Limit: 100,000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 23: Compliance Demonstration

Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225-2.3(b)(3)

Item 23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001

Process: W01

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Process eligibility to burn waste oil type A.



At a minimum this process must demonstrate to the Department that it can operate at a combustion efficiency of at least 99% while burning waste fuel A.

Parameter Monitored: COMBUSTION EFFICIENCY
Lower Permit Limit: 99 percent
Reference Test Method: EPA Approved Method
Monitoring Frequency: ANNUALLY
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 1/30/2010.
Subsequent reports are due every 12 calendar month(s).

Condition 24: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4

Item 24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001
Process: W01

Item 24.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Prior to issuing this permit, the owner and/or operator of sources that intend to burn waste fuel type A will have to submit the following:

- (1) a demonstration, to the satisfaction of the commissioner, that the emissions resulting from the use of the waste fuel comply with section 200.6 of this Title;
- (2) fuel analyses representative of the waste fuel to be burned in compliance with Table 2-1 Fuel constituent properties/allowable properties.
- (4) a demonstration of 99% combustion efficiency compliance with guidelines issued by the commissioner relative to the burning of waste fuel for existing burners and a manufacturer's warranty for new burners.

TABLE 2-1
Fuel Constituents/Property Constituent/Property Allowable

Polychlorinated Biphenyls (PCB): Less than 50 ppm
(1)



Total Halogens: 1,000 ppm (1) maximum
Sulfur: 0.37% by weight maximum.
Lead 250: ppm (1) maximum
Gross Heat Content: 125,000 (Btu/gal)
minimum

Results obtained shall be submitted to the department
before this permit is issued.

Parameter Monitored: WASTE OIL

Lower Permit Limit: 125,000 British thermal units per
gallon

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 25: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4

Item 25.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001

Process: W01

Item 25.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Initial compliance testing to demonstrate 99% combustion
efficiency of each one waste fuel type A burner is
required 30 days after startup of the source and up to 180
days from the date of the permit is issued.

The owner or operator or both shall submit a test protocol
for approval at least 30 days before the test is
scheduled. Testing shall be coordinated with the
department. Advance notice of at least 30 days prior to
testing is required.

Parameter Monitored: COMBUSTION EFFICIENCY

Upper Permit Limit: 99 percent

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



Condition 26: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 225-2.7

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00001

Process: W01

Item 26.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of the combustion source which burns waste fuel type A regulated regulated under section 225-2.4 of this Subpart shall perform the following tasks annually.

- (1) sample, analyze and measure quantities of all waste fuel received and/or burned;
- (2) monitor emissions;
- (3) demonstrate that waste oil fired burners operate at 99% combustion efficiency;
- (3) maintain the above records for three calendar years.

Shall the owner decide to sell and/or deliver waste fuel A to another facility burning such waste fuel, must perform analyses or adopt procedures to assure compliance with Table 2-1 of section 225-2.4 of this Subpart prior to delivery. The attendant records of such assurance and the quantities and the identification (including names and addresses) of all buyers and users of such waste oil must be retained by the supplier for three calendar years.

Any person required to maintain and retain records pursuant to this section must make such records available for inspection by the commissioner or his representative during normal business hours. Such person(s) must furnish copies of such records to the commissioner or his representative upon request.

Sampling and analysis of waste fuel samples must be carried out in accordance with methods acceptable to the commissioner. A list of acceptable methods may be obtained from any office of the Department of Environmental



Conservation.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due every 12 calendar month(s).

**Condition 27: No gasoline transfer allowed at sites without Stage I controls installed, if required at that site.
Effective between the dates of 09/09/2009 and Permit Expiration Date**

Applicable Federal Requirement:6NYCRR 230.2(a)(1)

Item 27.1:

This Condition applies to Emission Unit: H-00002

Item 27.2:

No person may transfer or allow the transfer of gasoline into storage tanks at gasoline dispensing sites whose annual throughput exceeds 120,000 gallons, unless the site has been properly registered pursuant to section 230.7 of 6 NYCRR Part 230 and the gasoline storage tank is equipped with:

- i. a stage I vapor collection system consisting of a vapor-tight return line from the storage tank, or its vent, to the gasoline transport vehicle;
- ii. a properly installed on-site vapor control system connected to a vapor collection system;
or
- iii. an equivalent control system.

**Condition 28: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date**

Applicable Federal Requirement:6NYCRR 230.2(g)

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00002

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Daily visual inspections of components of stage II vapor collection systems must be performed to ensure the integrity and efficiency of the system. Dispensers with defective stage II components must be removed from service, locked and sealed to prevent vapor loss from operational dispensers until approved replacement parts



are installed. A log will be kept recording the results of the inspections. The following information will be recorded at a minimum:

1. Date of the inspection
2. Person performing the inspection
3. Whether any deficiencies were observed and the nature of those deficiencies
4. Corrective action taken if any

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2010.

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

Condition 29: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 230.2(k)

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00002

Item 29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and/or operators of stage II systems must perform leak tests at 5 year intervals after commencing operations. The pressure in gasoline storage tanks must not fall below the values in Table 1 of Part 230.2(k)(2)(iii) after 5 minutes from an initial pressure of 10.0 inches of water column during a leak test.

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 30: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 230.2(k)

Item 30.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00002

Item 30.2:

Compliance Demonstration shall include the following monitoring:



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

Monitoring Description:

Owners and/or operators of stage II systems must perform liquid blockage tests at 5 year intervals after commencing operations. The back pressure during the liquid blockage tests must not exceed 0.03 inches of water column gauge above the dynamic back pressure test results for the system for flow rates of 60 and 100 cubic feet per hour.

Parameter Monitored: PRESSURE

Upper Permit Limit: 0.03 inches of water

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 31: Compliance Demonstration
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 230.5(a)

Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: H-00002

Regulated Contaminant(s):

CAS No: 008006-61-9 GASOLINE

Item 31.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any gasoline dispensing site must maintain records showing the quantity of all gasoline delivered to the site. These records must be retained at the gasoline dispensing site for at least two years, and must be made readily available to the commissioner or the commissioner's representative at any reasonable time.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)

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

Item B: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 32: Contaminant List
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 32.1:

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

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

CAS No: 008006-61-9
Name: GASOLINE

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

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

Condition 33: Unavoidable noncompliance and violations
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-1.4

Item 33.1:

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

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

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a



written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded 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 34: Emission Unit Definition
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 34.1:

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

Emission Unit: H-00001

Emission Unit Description:

This comprises combustion sources that burn either distillate oil or waste oil.

Building(s): 1

2

3

4

Item 34.2:

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

Emission Unit: H-00002

Emission Unit Description:

This unit comprises gasoline dispensing pumps.

Building(s): 5

Condition 35: Air pollution prohibited
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2



Item 35.1:

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

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

Condition 36: Emission Point Definition By Emission Unit
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 36.1:

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

Emission Unit: H-00001			
Emission Point: 000B1			
Height (ft.): 40	Diameter (in.): 18		
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 1	
Emission Point: 000B2			
Height (ft.): 40	Diameter (in.): 18		
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 1	
Emission Point: 000B3			
Height (ft.): 38	Diameter (in.): 18		
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 1	
Emission Point: 00W01			
Height (ft.): 25	Diameter (in.): 8		
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 4	
Emission Point: 0B6B7			
Height (ft.): 60	Diameter (in.): 52		
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 3	
Emission Point: WB4B5			
Height (ft.): 32	Diameter (in.): 42		
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 2	

Item 36.2:

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

Emission Unit: H-00002	
Emission Point: 000G1	
Height (ft.): 16	Diameter (in.): 2



NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 5
Emission Point: 000G2		
Height (ft.): 16	Diameter (in.): 2	
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 5
Emission Point: 000G3		
Height (ft.): 16	Diameter (in.): 2	
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 5
Emission Point: 000G4		
Height (ft.): 16	Diameter (in.): 2	
NYTMN (km.): 4569.5	NYTME (km.): 590.5	Building: 5

Condition 37: Process Definition By Emission Unit
Effective between the dates of 09/09/2009 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 37.1:

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

Emission Unit: H-00001
 Process: D01 Source Classification Code: 1-02-005-01
 Process Description: Small industrial boilers firing No. 2 oil.

Emission Source/Control: B00B1 - Combustion
 Design Capacity: 12.6 million Btu per hour

Emission Source/Control: B00B2 - Combustion
 Design Capacity: 14.7 million Btu per hour

Emission Source/Control: B00B3 - Combustion
 Design Capacity: 14.7 million Btu per hour

Item 37.2:

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

Emission Unit: H-00001
 Process: DLN Source Classification Code: 1-02-005-01
 Process Description:
 This process comprises several new boilers with Low NOx burners which operate on No.2 oil.

Emission Source/Control: B00B4 - Combustion
 Design Capacity: 14.3 million Btu per hour

Emission Source/Control: B00B5 - Combustion
 Design Capacity: 14.3 million Btu per hour

Emission Source/Control: B00B6 - Combustion
 Design Capacity: 28.6 million Btu per hour



Emission Source/Control: B00B7 - Combustion
Design Capacity: 28.6 million Btu per hour

Emission Source/Control: B0CB4 - Control
Control Type: LOW NOx BURNER

Emission Source/Control: B0CB5 - Control
Control Type: LOW NOx BURNER

Emission Source/Control: B0CB6 - Control
Control Type: LOW NOx BURNER

Emission Source/Control: B0CB7 - Control
Control Type: LOW NOx BURNER

Item 37.3:

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

Emission Unit: H-00001
Process: W01 Source Classification Code: 1-05-001-13
Process Description: Combustion sources operating on waste oil.

Emission Source/Control: W0W01 - Combustion
Design Capacity: 0.43 million Btu per hour

Emission Source/Control: W0W02 - Combustion
Design Capacity: 2.5 million Btu per hour

Item 37.4:

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

Emission Unit: H-00002
Process: G01 Source Classification Code: 4-06-003-99
Process Description:
Gasoline dispensing facility with 4 pumps dispensing unleaded gasoline.

Emission Source/Control: G0CG1 - Control
Control Type: VAPOR COLLECTION (STAGE 2)

Emission Source/Control: G0CG2 - Control
Control Type: VAPOR COLLECTION (STAGE 2)

Emission Source/Control: G0CG3 - Control
Control Type: VAPOR COLLECTION (STAGE 2)

Emission Source/Control: G0CG4 - Control
Control Type: VAPOR COLLECTION (STAGE 2)

Emission Source/Control: G0CT1 - Control
Control Type: VAPOR COLLECTION (STAGE 1)

Emission Source/Control: G00G1 - Process



Emission Source/Control: G00G2 - Process

Emission Source/Control: G00G3 - Process

Emission Source/Control: G00G4 - Process

Emission Source/Control: G00T1 - Process
Design Capacity: 8,000 gallons

