

New York State Department of Environmental Conservation
Facility DEC ID: 4010100117



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-0101-00117/00003
Effective Date: 11/12/2004 Expiration Date: No expiration date

Permit Issued To: NYS OFFICE OF MENTAL HEALTH
44 HOLLAND AVE
ALBANY, NY 12229

Contact: A SCOTT BARD
NYS OFFICE OF MENTAL HEALTH - CDPC
75 NEW SCOTLAND AVE
ALBANY, NY 12208
(518) 473-5823

Facility: NYS CAPITAL DIST PSYCH CTR
75 NEW SCOTLAND AVE
ALBANY, NY 12208

Description:

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 T HIGGINS
DIVISION OF ENVIRONMENTAL PERMITS
1150 NORTH WESTCOTT RD
SCHENECTADY, NY 12306-2014

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 4
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 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



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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.

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 4 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 4 Headquarters
Division of Environmental Permits
1150 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069



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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NYS OFFICE OF MENTAL HEALTH
44 HOLLAND AVE
ALBANY, NY 12229

Facility: NYS CAPITAL DIST PSYCH CTR
75 NEW SCOTLAND AVE
ALBANY, NY 12208

Authorized Activity By Standard Industrial Classification Code:
8063 - PSYCHIATRIC HOSPITALS
8221 - COLLEGES AND UNIVERSITIES,



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 202-1.2: Notification
- 2 6NYCRR 225-1.8: Compliance Demonstration

Emission Unit Level

EU=U-00001,Proc=001,ES=00004

- 3 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 4 40CFR 60.7(a), NSPS Subpart A: Date of construction notification.
- 5 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 6 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 7 40CFR 60.9, NSPS Subpart A: Availability of information.
- 8 40CFR 60.12, NSPS Subpart A: Circumvention.
- 9 40CFR 60.14, NSPS Subpart A: Modifications.
- 10 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 11 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration
- 12 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 13 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 14 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 15 40CFR 60.48c(e)(1), NSPS Subpart Dc: Compliance Demonstration
- 16 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 17 40CFR 60.48c(f)(2), NSPS Subpart Dc: Compliance Demonstration
- 18 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 19 40CFR 60.48c(i), NSPS Subpart Dc: Duration of records maintained.

EU=U-00001,Proc=001,ES=00005

- 20 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 21 40CFR 60.7(a), NSPS Subpart A: Date of construction notification.
- 22 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 23 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 24 40CFR 60.9, NSPS Subpart A: Availability of information.
- 25 40CFR 60.12, NSPS Subpart A: Circumvention.
- 26 40CFR 60.14, NSPS Subpart A: Modifications.
- 27 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 28 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration
- 29 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 30 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 31 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 32 40CFR 60.48c(e)(1), NSPS Subpart Dc: Compliance Demonstration
- 33 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 34 40CFR 60.48c(f)(2), NSPS Subpart Dc: Compliance Demonstration
- 35 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 36 40CFR 60.48c(i), NSPS Subpart Dc: Duration of records maintained.

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EU=U-00001,EP=00001

37 6NYCRR 227-1.3(a): Compliance Demonstration

EU=U-00001,EP=00001,Proc=001

38 6NYCRR 202-1.1: Required emission tests

39 6NYCRR 202-1.1: Compliance Demonstration

40 6NYCRR 227-1.3: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

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42 6NYCRR 201-1.4: Unavoidable noncompliance and violations

43 6NYCRR 201-5: Emission Unit Definition

44 6NYCRR 201-7: Facility Permissible Emissions

*45 6NYCRR 201-7: Capping Monitoring Condition

46 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

47 6NYCRR 201-5: Emission Point Definition By Emission Unit

48 6NYCRR 201-5: Process Definition By Emission Unit

EU=U-00001,EP=00001,Proc=001

49 6NYCRR 227-1.2(a)(2): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.NEC

Permit Effective Date: 11/12/2004

Permit Expiration Date: No expiration date.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

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

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

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

Any person who owns or operates an air contamination

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

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

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

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

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

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

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

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

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

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

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

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



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occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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

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

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

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

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

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

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific



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

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

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not

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limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

FEDERAL APPLICABLE REQUIREMENTS

The following conditions are federally enforceable.

Condition 1: Notification

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.2

Item 1.1:

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

Condition 2: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.8

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:

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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 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: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 3: EPA Region 2 address.
Effective between the dates of 11/12/2004 and Permit Expiration Date**

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 3.1:



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This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 3.2:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

**Condition 4: Date of construction notification.
Effective between the dates of 11/12/2004 and Permit Expiration Date**

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

Item 4.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 4.2:

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



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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 5: Recordkeeping requirements.
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 5.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 5.2:

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 6: Facility files for subject sources.
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 6.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 6.2:

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 7: Availability of information.
Effective between the dates of 11/12/2004 and Permit Expiration Date



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Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 7.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 7.2:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

Condition 8: Circumvention.

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 8.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 8.2:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 9: Modifications.

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 9.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 9.2:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 10: Reconstruction.

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 10.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

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Item 10.2:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 11: Compliance Demonstration
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00004

Item 11.2:

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.



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Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL 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 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 12: Exemption from the averaging period.
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 12.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 12.2:

Compliance with emission limits and/or fuel oil sulfur limitations shall be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

Condition 13: Enforceability.
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 13.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00004

Item 13.2:

The sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations shall apply at all times, including periods of startup, shutdown, and malfunction.

Condition 14: Compliance Demonstration
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 14.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001
Process: 001 Emission Source: 00004



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Permit ID: 4-0101-00117/00003

Facility DEC ID: 4010100117

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.

Monitoring Frequency: SEMI-ANNUALLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 15: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00004

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.43c shall keep records as required under §60.48c(d) including the following information.

Calendar dates covered in the reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



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Permit ID: 4-0101-00117/00003

Facility DEC ID: 4010100117

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 16: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00004

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.43c shall keep records as required under §60.48c(d) including the following information.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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



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Permit ID: 4-0101-00117/00003

Facility DEC ID: 4010100117

Condition 17: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.48c(f)(2), NSPS Subpart Dc

Item 17.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00004

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of the affected facility shall maintain records containing the following data:

i) name of the residual oil supplier;

ii) the location of the oil when the sample was drawn for analysis of the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil storage at the oil supplier's or oil refiner's facility, or other location;

iii) the sulfur content of the oil from which the shipment came (or of the shipment itself); and

iv) the method used to determine the sulfur content of the oil.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 18: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 18.1:

The Compliance Demonstration activity will be performed for:

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Facility DEC ID: 4010100117



Emission Unit: U-00001

Process: 001

Emission Source: 00004

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 19: Duration of records maintained.

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 19.1:

This Condition applies to Emission Unit: U-00001

Process: 001

Emission Source: 00004

Item 19.2:

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

Condition 20: EPA Region 2 address.

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 20.1:

This Condition applies to Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 20.2:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886



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Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

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

Condition 21: Date of construction notification.
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 21.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00005

Item 21.2:

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.



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Condition 22: Recordkeeping requirements.

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 22.1:

This Condition applies to Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 22.2:

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 23: Facility files for subject sources.

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 23.1:

This Condition applies to Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 23.2:

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 24: Availability of information.

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 24.1:

This Condition applies to Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 24.2:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

Condition 25: Circumvention.

Effective between the dates of 11/12/2004 and Permit Expiration Date

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Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 25.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00005

Item 25.2:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 26: Modifications.

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 26.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00005

Item 26.2:

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 27: Reconstruction.

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 27.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00005

Item 27.2:

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;

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5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;

6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;

7) the estimated life of the facility after the replacements; and

8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 28: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 28.2:

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: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL 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 1/30/2005.

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

Condition 29: Exemption from the averaging period.

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 29.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00005

Item 29.2:

Compliance with emission limits and/or fuel oil sulfur limitations shall be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

Condition 30: Enforceability.

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 30.1:

This Condition applies to Emission Unit: U-00001
Process: 001 Emission Source: 00005

Item 30.2:

The sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations shall apply at all times, including periods of startup, shutdown, and malfunction.

Condition 31: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001
Process: 001 Emission Source: 00005

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

Item 31.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.

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Monitoring Frequency: SEMI-ANNUALLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 32: Compliance Demonstration
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 32.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001
Process: 001 Emission Source: 00005

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

Item 32.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.43c shall keep records as required under §60.48c(d) including the following information.

Calendar dates covered in the reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 33: Compliance Demonstration
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 33.1:



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The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00005

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 33.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.43c shall keep records as required under §60.48c(d) including the following information.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 34: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.48c(f)(2), NSPS Subpart Dc

Item 34.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 34.2:



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Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and/or operator of the affected facility shall maintain records containing the following data:

- i) name of the residual oil supplier;
- ii) the location of the oil when the sample was drawn for analysis of the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil storage at the oil supplier's or oil refiner's facility, or other location;
- iii) the sulfur content of the oil from which the shipment came (or of the shipment itself); and
- iv) the method used to determine the sulfur content of the oil.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

Condition 35: Compliance Demonstration
Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 35.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.



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Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 36: Duration of records maintained.

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 36.1:

This Condition applies to Emission Unit: U-00001

Process: 001

Emission Source: 00005

Item 36.2:

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

Condition 37: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

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

Item 37.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 37.2:

Compliance Demonstration 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. Compliance testing shall be conducted at the discretion of the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING



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DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 38: Required emission tests
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 38.1:

This Condition applies to Emission Unit: U-00001 Emission Point: 00001
Process: 001

Item 38.2:

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

Condition 39: Compliance Demonstration
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 39.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: 001

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

Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The boiler plant shall be stack tested within 180 days of permit issuance for compliance with the Part 227-1.2(a)(2) limit. Since this limit applies while firing residual oil, the test must be done while firing residual oil.

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: 40 CFR 60 A

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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Condition 40: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 40.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001
Process: 001

Item 40.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - date and time of day
 - observer's name
 - identity of emission point
 - weather condition
 - was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

- 3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days

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of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

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law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 41: Contaminant List
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 41.1:

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

CAS No: 000630-08-0
Name: CARBON MONOXIDE

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

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

CAS No: 0NY075-00-5
Name: PM-10

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

Condition 42: Unavoidable noncompliance and violations
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 42.1:

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



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for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

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

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

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

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

Condition 43: Emission Unit Definition

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 43.1:

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

Emission Unit: U-00001

Emission Unit Description:

THIS UNIT CONSISTS OF THE CENTRAL PLANT'S TWO EXISTING CLEAVER-BROOKS BOILERS AND TWO SEMINOLE BOILERS WHICH HAVE RECENTLY BEEN INSTALLED. A THIRD CLEAVER-BROOKS BOILER



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WAS REMOVED TO ACCOMMODATE THE
INSTALLATION. ALL BOILERS COMBUST NO. 6
RESIDUAL OIL AND NATURAL GAS TO PRODUCE
STEAM FOR SPACE HEATING AND EMIT THROUGH A
COMMON STACK.

Building(s): POWERHOUSE

Condition 44: Facility Permissible Emissions
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7

Item 44.1:

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: 000630-08-0 PTE: 190,000 pounds per year
Name: CARBON MONOXIDE

CAS No: 007446-09-5 PTE: 190,000 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY075-00-5 PTE: 190,000 pounds per year
Name: PM-10

CAS No: 0NY210-00-0 PTE: 190,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 45: Capping Monitoring Condition
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7

Item 45.1:

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 227-2

Item 45.2:

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 45.3:

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 45.4:

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 45.5:

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 45.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE
CAS No: 007446-09-5 SULFUR DIOXIDE
CAS No: 0NY075-00-5 PM-10
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 45.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emissions limited to less than 95 ton/yr (less than the major source threshold). Emissions will be calculated using the most current AP-42 emission factors. The volume of fuel used and the sulfur content of the oil used shall be included in the annual report. Records shall be maintained in accordance with Part 201-7.2(d).

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

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Condition 46: Air pollution prohibited
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 46.1:

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 47: Emission Point Definition By Emission Unit
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 47.1:

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 120 Diameter (in.): 84
NYTMN (km.): 4723. NYTME (km.): 600.2

Condition 48: Process Definition By Emission Unit
Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 48.1:

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

Emission Unit: U-00001

Process: 001

Source Classification Code: 1-03-004-02

Process Description:

PROCESS 001 IS THE COMBUSTION OF NO. 6
RESIDUAL OIL TO PRODUCE STEAM FOR SPACE
HEATING. THE MAXIMUM THRUPUT QUANTITY
LISTED BELOW REFLECTS THE MAXIMUM AMOUNT OF



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FUEL TO BE USED UNDER THE CAP UNLESS OPERATIONAL FLEXIBILITY TRANSFERS OF FUEL ARE MADE. IN SUCH AN EVENT, THE AMOUNT BELOW MAY BE INCREASED BY A CORRESPONDING DECREASE IN ANOTHER FUEL TO BE MADE IN A RATIO CONSISTENT WITH EACH SOURCE'S NOX EMISSION FACTOR.

Emission Source/Control: 00001 - Combustion
Design Capacity: 28 million Btu per hour

Emission Source/Control: 00002 - Combustion
Design Capacity: 97.03 million Btu per hour

Emission Source/Control: 00004 - Combustion
Design Capacity: 29.9 million Btu per hour

Emission Source/Control: 00005 - Combustion
Design Capacity: 29.9 million Btu per hour

Item 48.2:

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

Emission Unit: U-00001

Process: 002

Source Classification Code: 1-03-006-02

Process Description:

PROCESS 002 IS THE COMBUSTION OF NATURAL GAS TO PRODUCE STEAM FOR SPACE HEATING. THE MAXIMUM THRUPUT QUANTITY LISTED BELOW REFLECTS THE MAXIMUM AMOUNT OF FUEL TO BE USED UNDER THE CAP UNLESS OPERATIONAL FLEXIBILITY TRANSFERS OF FUEL ARE MADE. IN SUCH AN EVENT, THE AMOUNT BELOW MAY BE INCREASED BY A CORRESPONDING DECREASE IN ANOTHER FUEL TO BE MADE IN A RATIO CONSISTENT WITH EACH SOURCE'S NOX EMISSION FACTOR.

Emission Source/Control: 00001 - Combustion
Design Capacity: 28 million Btu per hour

Emission Source/Control: 00002 - Combustion
Design Capacity: 97.03 million Btu per hour

Emission Source/Control: 00004 - Combustion
Design Capacity: 29.9 million Btu per hour



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Emission Source/Control: 00005 - Combustion

Design Capacity: 29.9 million Btu per hour

Condition 49: Compliance Demonstration

Effective between the dates of 11/12/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 227-1.2(a)(2)

Item 49.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001 Emission Point: 00001

Process: 001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 49.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a boiler or combination of boilers (connected to the same emission point) with a maximum heat input exceeding 50 mmBtu per hour but no greater than 250 mmBtu per hour firing oil, other than distillate oil.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: Method 5 / Method 17

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE