PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 4-0101-00426/00001
Mod 0 Effective Date: 02/08/2011 Expiration Date: 02/07/2016

Mod 1 Effective Date: 03/03/2014 Expiration Date: 02/07/2016

Permit Issued To: ALBANY ENERGY LLC
5087 JUNCTION RD
LOCKPORT, NY 14094

Contact: ANTHONY J FALBO
ALBANY ENERGY LLC
3005 DOUGLAS BLVD STE 105
ROSEVILLE, CA 95661
(716) 439-1004

Facility: ALBANY LANDFILL GAS TO ENERGY FACILITY
RAPP RD
ALBANY, NY 12205

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: ANGELO A MARCUCCIO
NYSDEC
1130 N 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 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

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DEC GENERAL CONDITIONS
****** General Provisions ******
For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

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

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

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

Condition 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: 6 NYCRR 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 1-1: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 1-1.1:
The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 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 4 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (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

1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ALBANY ENERGY LLC
5087 JUNCTION RD
LOCKPORT, NY 14094

Facility: ALBANY LANDFILL GAS TO ENERGY FACILITY
RAPP RD
ALBANY, NY 12205

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES

Mod 0 Permit Effective Date: 02/08/2011 Permit Expiration Date: 02/07/2016

Mod 1 Permit Effective Date: 03/03/2014 Permit Expiration Date: 02/07/2016

LIST OF CONDITIONS

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

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;
(3) During the period of the emergency the facility owner 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 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 or operator seeking to establish the occurrence of an emergency has the burden of proof.

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: **Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: **Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: **Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: **Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: **Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: **Property Rights - 6 NYCRR 201-6.4 (a) (6)**

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

Item I: **Severability - 6 NYCRR 201-6.4 (a) (9)**

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

Item J: **Permit Shield - 6 NYCRR 201-6.4 (g)**

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

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

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

Item K: **Reopening for Cause - 6 NYCRR 201-6.4 (i)**

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is

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

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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

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

(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

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

Condition 1: **Acceptable Ambient Air Quality**
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 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 1-1: **Fees**
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)

Item 1-1.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

Condition 1-2: **Recordkeeping and Reporting of Compliance Monitoring**
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (c)

Item 1-2.1:
The following information must be included in any required compliance monitoring records and reports:

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii)The company or entity that performed the analyses;

(iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;

(v) The results of such analyses including quality assurance data where required; and

(vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

Condition 1-3: Records of Monitoring, Sampling, and Measurement
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)

Item 1-3.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 1-4: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (3) (ii)

Item 1-4.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-4.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
To meet the requirements of this facility permit with respect to reporting, the permittee must:

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

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill

Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 1-5: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (e)

Item 1-5.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-5.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

i. Compliance certifications shall contain:
- the identification of each term or condition of the permit that is the basis of the certification;
- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

NYSDEC Region 4 Headquarters
1130 North Westcott Road
Schenectady, NY 12306-2014

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2012.
Subsequent reports are due on the same day each year

Condition 6: Compliance Certification
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 6.1:
The Compliance Certification activity will be performed for the Facility.

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway,

Albany NY 12233-3251

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

Condition 7: Recordkeeping requirements
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 7.1:
(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

Condition 8: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR Part 215

Item 8.1:
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 9: Open Fires - Prohibitions
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 9.2
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:
(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
(b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
(c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is

used as fuel and the fire is not left unattended until extinguished.
(d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
(e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
(f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
(i) Prescribed burns performed according to Part 194 of this Title.
(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

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

Condition 10: Maintenance of Equipment
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:
Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 1-6: Recycling and Salvage
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 1-6.1:
Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:
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 1-7: Exempt Sources - Proof of Eligibility
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-7.1:
The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

Condition 1-8: Trivial Sources - Proof of Eligibility
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-8.1:
The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

Condition 1-9: Requirement to Provide Information
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)

Item 1-9.1:

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

Condition 1-10: Right to Inspect
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)

Item 1-10.1:
The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 1-11: Off Permit Changes
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)

Item 1-11.1:
No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change

in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

Condition 19: Required Emissions Tests
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 21: Accidental release provisions.
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:40 CFR Part 68

Item 21.1:
If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

Condition 22: Recycling and Emissions Reduction
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

Condition 23: Emission Unit Definition
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00001
Emission Unit Description:
This emission unit is assigned to Engine #1 and consists of a Caterpiller 3516 four stroke, lean burn internal combustion engine, rated at 1,148 Bhp, which burns only treated landfill gas. The landfill gas supplied to the engine is treated in four stages including dewatering, compression, cooling and filtration. Only the gas treatment system is subject to the general provisions of 40 CFR Part 63 related to Startup, Shutdown, and Malfunction Plan and reporting (63.10) given the engine is exempt from 40 CFR 60 Subpart WWW and 40 CFR 63 Subpart AAAA thru application of 40 CFR 60.725(b)(2)(iii)(C).

Building(s): 001

Item 23.2(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00002
Emission Unit Description:
This emission unit is assigned to Engine #2 and consists of a Caterpiller 3516 four stroke, lean burn internal combustion engine, rated at 1,148 Bhp, which burns only treated landfill gas. The landfill gas supplied to the engine is treated in four stages including dewatering, compression, cooling and filtration. Only the gas treatment system is subject to the general provisions of 40 CFR Part 63 related to Startup, Shutdown, and Malfunction Plan and reporting (63.10) given the engine is exempt from 40 CFR 60 Subpart WWW and 40 CFR 63 Subpart AAAA thru application of 40 CFR 60.725(b)(2)(iii)(C).

Building(s): 001

Item 23.3(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00003
Emission Unit Description:

This emission unit is assigned to Engine #3 and consists of a Caterpiller 3516 four stroke, lean burn internal combustion engine, rated at 1,148 Bhp, which burns only treated landfill gas. The landfill gas supplied to the engine is treated in four stages including dewatering, compression, cooling and filtration. Only the gas treatment system is subject to the general provisions of 40 CFR Part 63 related to Startup, Shutdown, and Malfunction Plan and reporting (63.10) given the engine is exempt from 40 CFR 60 Subpart WWW and 40 CFR 63 Subpart AAAA thru application of 40 CFR 60.725(b)(2)(iii)(C).

Building(s): 002

Item 23.4(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00004
Emission Unit Description:

This emission unit is assigned to Engine #4 and consists of a Caterpiller 3520 four stroke, lean burn internal combustion engine, rated at 2,233 Bhp, which burns only treated landfill gas. The landfill gas supplied to the engine is treated in four stages including dewatering, compression, cooling and filtration. Only the gas treatment system is subject to the general provisions of 40 CFR Part 63 related to Startup, Shutdown, and Malfunction Plan and reporting (63.10) given the engine is exempt from 40 CFR 60 Subpart WWW and 40 CFR 63 Subpart AAAA thru application of 40 CFR 60.725(b)(2)(iii)(C).

Building(s): 003

Item 23.5(From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00005
Emission Unit Description:

This emission unit is assigned to Engine #5 and consists of a Caterpiller 3520 four stroke, lean burn internal combustion engine, rated at 2,233 Bhp, which burns only treated landfill gas. The landfill gas supplied to the engine is treated in four stages including dewatering, compression, cooling and filtration. Only the gas treatment system is subject to the general provisions of 40 CFR Part 63 related to Startup, Shutdown, and Malfunction Plan and reporting (63.10) given the engine is exempt from 40 CFR 60 Subpart WWW and 40 CFR 63 Subpart AAAA thru application of 40 CFR 60.725(b)(2)(iii)(C).

Building(s): 003

Condition 1-12: Progress Reports Due Semiannually
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)

Item 1-12.1:
Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 1-13: Air pollution prohibited
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 211.1

Item 1-13.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

Condition 30: Compliance Certification
Effective between the dates of 02/08/2011 and 02/07/2016

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

Item 30.1:
The Compliance Certification activity will be performed for the Facility.

Item 30.2:
Compliance Certification 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
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 31: Corrective Action
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 227-1.6

Item 31.1:
(a) Any person found to have violated any provision of this Part shall not cause, permit or allow operation of the stationary combustion installation involved in the violation unless:

(1) it is equipped with approved emission control equipment;

(2) it is rehabilitated or upgraded in an approved manner; or

(3) the fuel is changed to an acceptable type.

(b) The commissioner may seal such stationary combustion installation so as to prevent any

operation if the conditions of paragraph (a)(1)-(3) above are not met within the time provided by the order of final determination issued in the case of the violation.

(c) No person shall cause, permit or allow operation of any stationary combustion installation sealed by the commissioner in accordance with this section.

(d) No person except the commissioner or his representative shall remove, tamper with or destroy any seal affixed to any stationary combustion installation.

Condition 1-14: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:6 NYCRR 227-1.7

Item 1-14.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-14.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

(a) Emission data. Any person who owns or operates a stationary combustion installation described in 6 NYCRR Part 227-1 shall provide pertinent data concerning emissions when so requested by the commissioner.

(b) Test methods. Sampling, compositing and analysis of fuel samples shall be carried out in accordance with the most recent ASTM standard methods or equivalent methods acceptable to the commissioner.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 1-15: EPA Region 2 address.
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 1-15.1:
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 1-16: Performance testing timeline.
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-16.1:
Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 1-17: Performance Test Methods - Waiver
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-17.1:
Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrators satisfaction that the affected facility is in compliance with the standatrd, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

Condition 1-18: Required performance test information.
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-18.1:
Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

Condition 1-19: Prior notice.
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-19.1:

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

Condition 1-20: Performance testing facilities.
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-20.1:
The following performance testing facilities shall be provided during all tests:

1) sampling ports adequate for tests methods applicable to such facility;

2) a safe sampling platform;

3) a safe access to the sampling platform; and

4) utilities for sampling and testing equipment.

Condition 1-21: Number of required tests.
Effective between the dates of 03/03/2014 and 02/07/2016

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

Item 1-21.1:
Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

Condition 1-22: Availability of information.
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 1-22.1:
The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 1-23: Opacity standard compliance testing.
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 1-23.1:
The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

Condition 1-24: Circumvention.
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 1-24.1:
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 1-25: Monitoring requirements.
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 1-25.1:
All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 1-26: Modifications.
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 1-26.1:
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 1-27: Reconstruction
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 1-27.1:
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 1-28: Applicability of facilities subject to Subpart JJJJ
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ

Item 1-28.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00005

Item 1-28.2:
The provisions of 40 CFR 60 Subpart JJJJ are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) that commence construction after June 12, 2006,and where the stationary SI ICE are manufactured on or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP). For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

Condition 1-29: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 1-29.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00005

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 1-29.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engines initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

Upper Permit Limit: 2.9 grams per brake horsepower-hour
Reference Test Method: Method 10
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 09/06/2014 for the period 03/03/2014 through 08/07/2014

Condition 1-30: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 1-30.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00005

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

Item 1-30.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP)

(except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engines initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

Upper Permit Limit: .6 grams per brake horsepower-hour
Reference Test Method: Method 7e
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 09/06/2014 for the period 03/03/2014 through 08/07/2014

Condition 1-31: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 1-31.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 1-31.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engines initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

Upper Permit Limit: 1.0 grams per brake horsepower-hour
Reference Test Method: Method 18/25A
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST

METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)
Initial Report Due: 09/06/2014 for the period 03/03/2014 through 08/07/2014

Condition 1-32: Length of time a facility is subject to Subpart JJJJ
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4234, NSPS Subpart JJJJ

Item 1-32.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00005

Item 1-32.2:
Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

Condition 1-33: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ

Item 1-33.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00005

Item 1-33.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a stationary SI internal combustion engine greater than 500 HP must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition an initial performance test must be performed and subsequent performance testing every 8,760 hours or 3 years,

whichever comes first, thereafter to demonstrate compliance must also be conducted.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 1-34: Test methods and procedures
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4244, NSPS Subpart JJJJ

Item 1-34.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00005

Item 1-34.2: Owners and operators of stationary SI ICE who conduct performance tests must follow the procedures in paragraphs (a) through (f) of 40 CFR 60.4244, including :
- Each performance test must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and according to the requirements in §60.8 and under the specific conditions that are specified by Table 2 to this subpart.
- The performance tests shall not be conducted during periods of startup, shutdown, or malfunction, as specified in §60.8(c). If the stationary SI internal combustion engine is non-operational, the facility does not need to startup the engine solely to conduct a performance test, but must conduct the performance test immediately upon startup of the engine.
- The facility conduct three separate test runs for each performance test required in this section, as specified in §60.8(f). Each test run must be conducted within 10 percent of 100 percent peak (or the highest achievable) load and last at least 1 hour.

Condition 1-35: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4245(a), NSPS Subpart JJJJ

Item 1-35.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00005

Item 1-35.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Owners or operators of stationary SI ICE that are subject to the provisions of 40 CFR Subpart JJJJ must meet the following notification, reporting and recordkeeping requirements.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 1-36: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4245(c), NSPS Subpart JJJJ

Item 1-36.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: U-00003

Emission Unit: U-00004

Emission Unit: U-00005

Item 1-36.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the following:

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 1-37: Performance test requirements
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4245(d), NSPS Subpart JJJJ

Item 1-37.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00005

Item 1-37.2:
Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed

Condition 1-38: Subpart A provisions that apply to facilities subject to Subpart JJJJ
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.4246, NSPS Subpart JJJJ

Item 1-38.1:
This Condition applies to:

Emission Unit: U00003

Emission Unit: U00004

Emission Unit: U00005

Item 1-38.2:
The following provisions of 40 CFR 60 Subpart A apply to this facility: 60.1 through 60.12, 60.14 through 60.17 and 60.19.

Condition 1-39: Compliance Certification
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 60.752(b)(2)(iii)('C'), NSPS Subpart WWW

Item 1-39.1:
The Compliance Certification activity will be performed for the Facility.

Item 1-39.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
All collected landfill gas must be routed to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of 40 CFR 60.752(b)(2)(iii)(A) or (B). For purposes of this rule, atmospheric vents located on the condensate storage tank are not part of the treatment system and are exempt from the requirements of 40 CFR 60.752(b)(2)(iii)(A) or (B). The owner/operator of the landfill gas treatment system must ensure compliance with these requirements. The owner/operator of a combustion device who uses or purchases treated landfill gas for fuel in a combustion device shall be exempt from further compliance with this 40 CFR 60 Subpart WWW. Since the treatment option is only valid when treated landfill gas is sold or used as a fuel in a combustion device, the gas must be used as a fuel, and venting of treated landfill gas to the ambient air is not allowed under this option.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 1-40: General Provisions
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 63, Subpart A

Item 1-40.1:
This emission source is subject to the applicable provisions of 40 CFR 63 Subpart A. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 1-41: Applicability
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 1-41.1:
Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

Condition 1-42: General provisions
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable Federal Requirement:40CFR 63.6665, Subpart ZZZZ

Item 1-42.1:
Table 8 of 40 CFR 63 Subpart ZZZZ shows which parts of the General Provisions 40 CFR 63.1 through 40 CFR 63.15 apply to this facility. Facility is responsible for ensuring they comply with all General Provisions contained in Table 8.

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

Condition 58: Emission Point Definition By Emission Unit
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 58.1(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00001

Emission Point: 00001
Height (ft.): 35 Diameter (in.): 12
NYTMN (km.): 4728.629 NYTME (km.): 594.087 Building: 001

Item 58.2(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00002

Emission Point: 00002
Height (ft.): 35 Diameter (in.): 12
NYTMN (km.): 4728.629 NYTME (km.): 594.087 Building: 001

Item 58.3(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00003

Emission Point: 00003
Height (ft.): 35 Diameter (in.): 12
NYTMN (km.): 4728.629 NYTME (km.): 594.087 Building: 002

Item 58.4(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: U-00004

Emission Point: 00004
Height (ft.): 35 Diameter (in.): 12
NYTMN (km.): 4728.62 NYTME (km.): 594.14 Building: 003

Condition 59: Process Definition By Emission Unit
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 59.1(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: 001 Source Classification Code: 2-01-008-02
Process Description:
This process involves utilizing treated landfill gas to fuel a four stroke, lean burn, internal combustion engine (Engine #1) for the purpose of generating electricity.

Emission Source/Control: ES001 - Combustion
Design Capacity: 9.1 million Btu per hour

Item 59.2(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: 002 Source Classification Code: 2-01-008-02
Process Description:
This process involves utilizing treated landfill gas to

fuel a four stroke, lean burn, internal combustion engine
(Engine #2) for the purpose of generating electricity.

Emission Source/Control: ES002 - Combustion
Design Capacity: 9.1 million Btu per hour

Item 59.3(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: 003 Source Classification Code: 2-01-008-02
Process Description:
This process involves utilizing treated landfill gas to
fuel a four stroke, lean burn, internal combustion engine
(Engine #3) for the purpose of generating electricity.

Emission Source/Control: ES003 - Combustion
Design Capacity: 9.1 million Btu per hour

Item 59.4(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00004
Process: 004 Source Classification Code: 2-01-008-02
Process Description:
This process involves utilizing treated landfill gas to
fuel a four stroke, lean burn, internal combustion engine
(Engine #4) for the purpose of generating electricity.

Emission Source/Control: ES004 - Combustion
Design Capacity: 16.1 million Btu per hour

Item 59.5(From Mod 1):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00005
Process: 005 Source Classification Code: 2-01-008-02
Process Description:
This process involves utilizing treated landfill gas to
fuel a four stroke, lean burn, internal combustion engine
(Engine #4) for the purpose of generating electricity.

Emission Source/Control: ES005 - Combustion
Design Capacity: 16.1 million Btu per hour

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 68: Contaminant List
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable State Requirement:ECL 19-0301

Item 68.1:
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: 0NY998-00-0
Name: VOC

Condition 1-43: Malfunctions and start-up/shutdown activities
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable State Requirement:6 NYCRR 201-1.4

Item 1-43.1:
(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 69: Unavoidable noncompliance and violations
Effective between the dates of 02/08/2011 and 02/07/2016

Applicable State Requirement:6 NYCRR 201-1.4

Item 69.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

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

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

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

Condition 1-44: Visible Emissions Limited
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable State Requirement:6 NYCRR 211.2

Item 1-44.1:
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 1-45: Compliance Demonstration
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable State Requirement:6 NYCRR 211.2

Replaces Condition(s) 71

Item 1-45.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 1-45.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Permittee shall ensure that Fortistar's maintenance programs titled - 'Routine Maintenance Procedure for the Crankcase Ventilation System (CVS)' and 'Quarterly Flange Check Program' - are fully implemented. Maintenance records shall be kept in a bound book on site for a period of no less than two years and made available to the Department upon notice.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 1-46: Compliance Demonstration
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable State Requirement:6 NYCRR 211.2

Replaces Condition(s) 72

Item 1-46.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 1-46.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

1. Permittee shall conduct an inspection of all gas recovery plant components (including leak checks) within one hour of receiving a report from the Department or other person regarding off-site landfill gas odors. The inspection shall determine whether off-site gas odors are attributable to the gas recovery plant. If the off-site odors are attributable to the gas recovery plant, Permittee shall determine the source of the odors and the necessary repairs and corrective action needed. Permittee shall record notification and inspection information in a bound log kept available on site for a period of no less than two years and made available to the Department upon notice.

2. Permittee shall undertake either of the following actions for off-site odors attributable to the gas recovery plant:

A. abate and control off-site landfill odors by repairing landfill gas engine(s) and/or related components within three hours of receiving notice of the off-site gas odors; or

B. cease operation of the gas recovery plant and divert landfill gas to flare(s) until repairs or corrective actions to control and abate off-site landfill odors attributed to the gas recovery plant are completed.

3. Permittee shall record date and time of detection of engine or related component problems causing off site odors and date and time for either completing the repairs and corrective actions, or the cessation of gas recovery plant and diversion of landfill gas to the flare(s).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2014.
Subsequent reports are due every 6 calendar month(s).

Condition 1-47: Compliance Demonstration
Effective between the dates of 03/03/2014 and 02/07/2016

Applicable State Requirement:6 NYCRR 211.2

Item 1-47.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 1-47.2:
Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Except as permitted by a specific part of Title 6 of the NYCRR, 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.

Operators of air contamination sources that 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(s) or vent(s) 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:

- weather condition
- was a plume observed?

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, 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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION