PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-1006-00019/02001
Mod 0 Effective Date: 09/20/2004 Expiration Date: No expiration date.

Mod 1 Effective Date: 10/22/2003 Expiration Date: No expiration date.

Mod 2 Effective Date: Expiration Date:

Permit Issued To:NYS DEPT OF CORRECTIONS AND COMMUNITY SUPERVISION
BLDG 2 - STATE OFFICE BUILDING CAMPUS
1220 WASHINGTON AVE
ALBANY, NY 12226-2050

Contact: KEITH D RUPERT
NYS DEPT OF CORRECTIONAL SERVICES
1220 WASHINGTON AVE
ALBANY, NY 12226
(518) 485-5576

Facility: NYS HUDSON CORRECTIONAL FACILITY
POWER AVE & EAST COURT ST
HUDSON, NY 12534

Description:
The application is for a modification to the existing Air State Facility Permit to remove a 400 kw generator and install a 910 kw generator. The new application will be subject to to the proposed NSPS Subpart IIII regulations ans will be used for energy demand response and emergency power.

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 - REGION 4
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

DEC GENERAL CONDITIONS
General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for permit renewals, modifications and transfers
Applications for Permit Renewals and Modifications
Permit modifications, suspensions or revocations by the Department
Permit Modifications, Suspensions and Revocations by the Department
Facility Level
Submission of Applications for Permit Modification or Renewal -REGION 4 HEADQUARTERS
Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS

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

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

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

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

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 2-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 2-1.1:
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 2-1.2:
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 2-1.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 2-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 2-2.1:
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 and Revocations by the Department
Applicable State Requirement: 6 NYCRR 621.14

Item 4.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

a) materially false or inaccurate statements in the permit application or supporting papers;
b) failure by the permittee to comply with any terms or conditions of the permit;
c) exceeding the scope of the project as described in the permit application;
d) newly discovered material information or a material change in environmental

conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;

e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 4 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.5 (a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1150 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069

Condition 2-3: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 2-3.1:
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 - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To:NYS DEPT OF CORRECTIONS AND COMMUNITY SUPERVISION
BLDG 2 - STATE OFFICE BUILDING CAMPUS
1220 WASHINGTON AVE
ALBANY, NY 12226-2050

Facility: NYS HUDSON CORRECTIONAL FACILITY
POWER AVE & EAST COURT ST
HUDSON, NY 12534

Authorized Activity By Standard Industrial Classification Code:
9223 - CORRECTIONAL INSTITUTIONS

Permit Effective Date: Permit Expiration Date:

LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS
Facility Level

2-1 6 NYCRR Subpart 201-7: Facility Permissible Emissions
*2-2 6 NYCRR Subpart 201-7: Capping Monitoring Condition
*2-3 6 NYCRR Subpart 201-7: Capping Monitoring Condition
2-4 6 NYCRR 211.1: Air pollution prohibited
1 : Compliance Demonstration
2-5 6 NYCRR 225-1.2 (g): Compliance Demonstration
2-6 6 NYCRR 225-1.2 (h): Compliance Demonstration
2 : Temporary variances.
2-7 40CFR 60, NSPS Subpart IIII: Applicability
2-8 40CFR 60, NSPS Subpart IIII: Compliance and Enforcement

Emission Unit Level

EU=0-0MAIN,EP=00001,Proc=OIL

2-9 6 NYCRR 227-1.3: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level

5 ECL 19-0301: Contaminant List
2-10 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
7 6 NYCRR Subpart 201-5: Emission Unit Definition
2-11 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
2-12 6 NYCRR 201-5.3 (c): Compliance Demonstration
8 6 NYCRR Subpart 201-7: Facility Permissible Emissions
*9 : Capping Monitoring Condition
*10 : Capping Monitoring Condition
2-13 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level

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

NOTE: * preceding the condition number indicates capping.

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

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

Item A: **Sealing - 6 NYCRR 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

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

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

Item C: **Maintenance of Equipment - 6 NYCRR 200.7**

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

required to operate such device effectively.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Item K: **Open Fires Prohibitions - 6 NYCRR 215.2**
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

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.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 2-1: **Facility Permissible Emissions**

Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-1.1:
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following
Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 007446-09-5 (From Mod 2) PTE: 156,000 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0 (From Mod 2) PTE: 156,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 2-2: Capping Monitoring Condition
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-2.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 201-6.1 (a)

Item 2-2.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-2.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-2.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-2.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement,

for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-2.6:
The Compliance Demonstration activity will be performed for the Facility.

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

Item 2-2.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The facility is capping out of Title V by proposing an annual emission limit on NOx emissions below the Title 5 threshold. This limit will be 78 tons per year of NOx. The facility will calculate it's emissions by measuring and recording fuel usage, and applying current AP-42 emission factors in Department approved equations. Fuel usage shall be measured by approved fuel meters* or other Department approved methods. Approved fuel meters shall be installed on all combustion units except those listed as "exempt" or "trivial" by NYCRR Parts 201-3.2 or 201-3.3 respectively.
*Approved fuel meters for measuring gas or liquid fuel, shall be installed and maintained on required combustion units and shall be as described below;
LIQUID FUEL METERS:
For fuel meters measuring all grades of fuel oil, diesel, gasoline or kerosene, they shall be factory assembled, calibrated and tested, and incorporate the following features:
General
The meter shall be designed and constructed specifically to measure all grades of fuel oil, diesel, gasoline or kerosene.
Flow Measurement
The measuring element shall be of the following types; (1) positive displacement (2) flow transmitter (3) other type approved by the Department for this application. Each measuring element shall maintain its accuracy over a wide flow range and be unaffected by flow disturbances.

Counter
The meter counter shall be of the following types; (1) dry-type-mechanical counter which is physically separated from the fluid flow this counter shall display the accumulated total in U.S. gallons (metric counters available) and shall be non-resettable (2) mechanical

counter with pulse output (3) electronic, digital display (LCD) may be used providing a resettable as well as non-resettable total and indication of flow-rate and operating hours.
Accuracy
The standard meter shall have an minimum accuracy of +or- 2.0% of actual value. Meters calibrated as matched pairs may be used for differential measurement applications.

GAS FUEL METERS:
For fuel meters measuring natural gas or LP, they shall be factory assembled, calibrated and tested, and incorporate the following features;
General
An in-line Billing Quality Gas Meter with appropriate Correcting Device should be employed to provide pressure & temperature compensated measuring accuracy within 2% of the upper range value (maximum calibrated fuel flow rate) across the measuring range of fuel flow rate to be measured at the unit. Totalized compensated volume should be expressed in Standard Cubic Feet, based on standard conditions of 14.73 PSIA and at 60°F.
Flow Measurement
Acceptable Meters include; (1) Rotary Positive Displacement Meters, (2) Turbine Meters (3) Orifice, (4) Venturi Nozzles. Meters are sized based on actual flow conditions.
A variety of methods can be employed to properly compensate for pressure and temperature fluctuations in the gas stream in order to maintain accuracy within 2%.
If conditions permit and both pressure and temperature can be held constant, fixed factors may be applied.
For installations where pressure and temperature can not be held constant, a correcting device should be employed to compensate for these fluctuations. Correcting devices include temperature (T) correcting devices and pressure (P) correcting device and super-compressibility (Z) devices. Depending on the meter technology, some of these functions can be incorporated into the meter, while others require an external device.
Counter
The meter itself should be equipped a non-resettable mechanical index. This correlates with the electronic uncorrected read from the PT Corrector - providing traceability and redundancy. The Corrector has pulse output which can be used to transmit flow data to an energy management system.
Rotary Meter Service & Calibration
It is recommended that the meter's readings be correlated with the Corrector on a semiannual basis. The instrument's pressure and temperature readings should tested for accuracy by comparing actual readings to a

standard every 2 years.

Parameter Monitored: FUEL
Upper Permit Limit: 78 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 2-3: Capping Monitoring Condition
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 2-3.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 201-6.1 (a)

Item 2-3.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-3.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-3.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2-3.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-3.6:
The Compliance Demonstration activity will be performed for the Facility.

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

Item 2-3.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The facility is capping out of Title V by proposing an annual emission limit on SO2 emissions below the Title 5 threshold. This limit will be 78 tons per year of SO2. The facility will calculate it's emissions by measuring and recording fuel usage, and applying current AP-42 emission factors in Department approved equations. Fuel usage shall be measured by approved fuel meters* or other Department approved methods. Approved fuel meters shall be installed on all combustion units except those listed as "exempt" or "trivial" by NYCRR Parts 201-3.2 or 201-3.3 respectively.
*Approved fuel meters for measuring gas or liquid fuel, shall be installed and maintained on required combustion units and shall be as described below;
LIQUID FUEL METERS:
For fuel meters measuring all grades of fuel oil, diesel, gasoline or kerosene, they shall be factory assembled, calibrated and tested, and incorporate the following features:
General
The meter shall be designed and constructed specifically to measure all grades of fuel oil, diesel, gasoline or kerosene.
Flow Measurement
The measuring element shall be of the following types; (1) positive displacement (2) flow transmitter (3) other type approved by the Department for this application. Each measuring element shall maintain its accuracy over a wide flow range and be unaffected by flow disturbances.

Counter
The meter counter shall be of the following types; (1) dry-type-mechanical counter which is physically separated from the fluid flow this counter shall display the accumulated total in U.S. gallons (metric counters available) and shall be non-resettable (2) mechanical counter with pulse output (3) electronic, digital display (LCD) may be used providing a resettable as well as non-resettable total and indication of flow-rate and operating hours.
Accuracy
The standard meter shall have an minimum accuracy of +or- 2.0% of actual value. Meters calibrated as matched pairs may be used for differential measurement applications.

GAS FUEL METERS:
For fuel meters measuring natural gas or LP, they shall be factory assembled, calibrated and tested, and incorporate the following features;
General
An in-line Billing Quality Gas Meter with appropriate Correcting Device should be employed to provide pressure & temperature compensated measuring accuracy within 2% of the upper range value (maximum calibrated fuel flow rate) across the measuring range of fuel flow rate to be measured at the unit. Totalized compensated volume should be expressed in Standard Cubic Feet, based on standard conditions of 14.73 PSIA and at 60°F.
Flow Measurement
Acceptable Meters include; (1) Rotary Positive Displacement Meters, (2) Turbine Meters (3) Orifice, (4) Venturi Nozzles. Meters are sized based on actual flow conditions.
A variety of methods can be employed to properly compensate for pressure and temperature fluctuations in the gas stream in order to maintain accuracy within 2%.
If conditions permit and both pressure and temperature can be held constant, fixed factors may be applied.
For installations where pressure and temperature can not be held constant, a correcting device should be employed to compensate for these fluctuations. Correcting devices include temperature (T) correcting devices and pressure (P) correcting device and super-compressibility (Z) devices. Depending on the meter technology, some of these functions can be incorporated into the meter, while others require an external device.
Counter
The meter itself should be equipped a non-resettable mechanical index. This correlates with the electronic uncorrected read from the PT Corrector - providing traceability and redundancy. The Corrector has pulse output which can be used to transmit flow data to an energy management system.
Rotary Meter Service & Calibration
It is recommended that the meter's readings be correlated with the Corrector on a semiannual basis. The instrument's pressure and temperature readings should tested for accuracy by comparing actual readings to a standard every 2 years.

Parameter Monitored: FUEL
Upper Permit Limit: 78 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.

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

Condition 2-4: Air pollution prohibited
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 211.1

Item 2-4.1:
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 1: Compliance Demonstration
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 1.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 1.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.5 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-5: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 225-1.2 (g)

Item 2-5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-5.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014. Compliance with this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-6: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 225-1.2 (h)

Item 2-6.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-6.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Owners and/or operators of a stationary combustion installations that fire distillate oil are limited to the firing of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016. Compliance with

this limit will be based on vendor certifications.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period. All other facility owners or distributors must submit these records and summaries upon request of the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.0015 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2: Temporary variances.
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 2.1:
Upon application by an air contamination source owner or a fuel supplier the commissioner may issue an order granting a temporary variance from the provisions of 6 NYCRR Part 225-1 where it can be shown, to the commissioner's satisfaction, that there is an insufficient supply of conforming fuel, either:

(1) of the proper type required for use in a particular air contamination source; or
(2) generally throughout an area of the State.

Condition 2-7: Applicability
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII

Item 2-7.1:
Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

Condition 2-8: Compliance and Enforcement
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII

Item 2-8.1:
The Department has not accepted delegation of 40 CFR Part 60 Subpart IIII. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 60 Subpart IIII during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

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

Condition 2-9: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 2-9.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN Emission Point: 00001
Process: OIL

Item 2-9.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
- date and time of day
- observer's name
- identity of emission point
- weather condition
- was a plume observed?

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

date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

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

Monitoring Frequency: DAILY
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

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

Item A: **Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)**
Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1) , and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

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

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state only enforceable.

Condition 5: **Contaminant List**
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 5.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

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

Condition 2-10: **Malfunctions and start-up/shutdown activities**
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 201-1.4

Item 2-10.1:
(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 7: Emission Unit Definition
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 7.1(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-0GEN1
Emission Unit Description:
The generator burns diesel fuel to provide emergency power and energy demand response.

Building(s): 21

Item 7.2(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-0MAIN
Emission Unit Description:
TWO 25.1 MILLION BTU/HR CNB BOILERS AND ONE 10.46 MILLION BTU/HR CLEAVER BROOKS BOILER ARE LOCATED IN THE POWERHOUSE. ALL OF THE BOILERS ARE DUAL FIRED. NATURAL GAS IS THE PRIMARY FUEL AND NO.2 FUEL OIL IS USED AS A BACKUP. THE BOILERS VENT TO A COMMON ST ACK. THE BOILERS WERE INSTALLED IN 1983 AND ARE NOT SUBJECT TO NSPS. THE BOILERS WERE SUBJECT TO PSD AT THE TIME OF INSTALLATION AND ARE CAPPING OUT OF TITLE 5 AND PSD WITH EMISSIONS CAPS. .

Building(s): 21

Condition 2-11: Renewal deadlines for state facility permits
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 201-5.2 (c)

Item 2-11.1:
The owner or operator of a facility having an issued state facility 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.

Condition 2-12: Compliance Demonstration
Effective for entire length of Permit

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

Item 2-12.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-12.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 4
1130 N. Westcott Rd.
Schenectady, NY 12306

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 8: Facility Permissible Emissions
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-7

Expired by Mod 2
Applicaton Specific Data

Condition 9: Capping Monitoring Condition
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable State Requirement:

Expired by Mod 2

Item 9.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 201-6.1 (a)

Item 9.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 9.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 9.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 9.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 9.6:
The Compliance Demonstration activity will be performed for the Facility.

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

Item 9.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The facility is capping out of Title V by proposing an annual emission limit on SO2 emissions below the Title 5 threshold. This limit will be 78 tons per year of this contaminate. The facility will calculate it's emissions by measuring and recording fuel usage, and applying current AP-42 emission factors in Department approved equations. Fuel usage shall be measured by approved fuel meters* or other Department approved methods. Approved fuel meters shall be installed on all combustion units except those listed as "exempt" or "trivial" by NYCRR Parts 201-3.2 or 201-3.3 respectively.

*Approved fuel meters for measuring gas or liquid fuel, shall be installed and maintained on required combustion units and shall be as described below;

LIQUID FUEL METERS:

For fuel meters measuring all grades of fuel oil, diesel, gasoline or kerosene, they shall be factory assembled, calibrated and tested, and incorporate the following features:

General
The meter shall be designed and constructed specifically to measure all grades of fuel oil, diesel, gasoline or kerosene.

Flow Measurement
The measuring element shall be of the following types; (1) positive displacement (2) flow transmitter (3) other type approved by the Department for this application. Each measuring element shall maintain its accuracy over a wide flow range and be unaffected by flow disturbances.

Counter
The meter counter shall be of the following types; (1) ¿dry-type¿ mechanical counter which is physically separated from the fluid flow this counter shall display the accumulated total in U.S. gallons (metric counters available) and shall be non-resettable (2) mechanical counter with pulse output (3) electronic, digital display (LCD) may be used providing a resettable as well as non-resettable total and indication of flow-rate and operating hours.

Accuracy
The standard meter shall have an minimum accuracy of +or- 2.0% of actual value. Meters calibrated as matched pairs may be used for differential measurement applications.

GAS FUEL METERS:

For fuel meters measuring natural gas or LP, they shall be factory assembled, calibrated and tested, and incorporate the following features;

General
An in-line Billing Quality Gas Meter with appropriate Correcting Device should be employed to provide pressure & temperature compensated measuring accuracy within 2% of the upper range value (maximum calibrated fuel flow rate) across the measuring range of fuel flow rate to be measured at the unit. Totalized compensated volume should be expressed in Standard Cubic Feet, based on standard conditions of 14.73 PSIA and at 60°F.

Flow Measurement
Acceptable Meters include; (1) Rotary Positive Displacement Meters, (2) Turbine Meters (3) Orifice, (4) Venturi Nozzles. Meters are sized based on actual flow conditions.

A variety of methods can be employed to properly compensate for pressure and temperature fluctuations in the gas stream in order to maintain accuracy within 2%. If conditions permit and both pressure and temperature can be held constant, fixed factors may be applied.

For installations where pressure and temperature can not be held constant, a correcting device should be employed to compensate for these fluctuations. Correcting devices include temperature (T) correcting devices and pressure (P) correcting device and super-compressibility (Z) devices. Depending on the meter technology, some of these functions can be incorporated into the meter, while others require an external device.

Counter
The meter itself should be equipped a non-resettable mechanical index. This correlates with the electronic uncorrected read from the PT Corrector - providing traceability and redundancy. The Corrector has pulse output which can be used to transmit flow data to an energy management system.

Rotary Meter Service & Calibration
It is recommended that the meter's readings be correlated with the Corrector on a semiannual basis. The instrument's pressure and temperature readings should tested for accuracy by comparing actual readings to a standard every 2 years.

Parameter Monitored: FUEL
Upper Permit Limit: 78 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 10: Capping Monitoring Condition
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable State Requirement:

Expired by Mod 2

Item 10.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR 201-6.1 (a)

Item 10.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 10.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 10.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 10.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 10.6:
The Compliance Demonstration activity will be performed for the Facility.

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

Item 10.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The facility is capping out of Title V by proposing an annual emission limit on NOx emissions below the Title 5 threshold. This limit will be 78 tons per year of this contaminate. The facility will calculate it's emissions by measuring and recording fuel usage, and applying current AP-42 emission factors in Department approved equations. Fuel usage shall be measured by approved fuel meters* or other Department approved methods. Approved fuel meters shall be installed on all combustion units except those listed as "exempt" or "trivial" by NYCRR Parts 201-3.2 or 201-3.3 respectively.

*Approved fuel meters for measuring gas or liquid fuel,

shall be installed and maintained on required combustion units and shall be as described below;

LIQUID FUEL METERS:

For fuel meters measuring all grades of fuel oil, diesel, gasoline or kerosene, they shall be factory assembled, calibrated and tested, and incorporate the following features:

General
The meter shall be designed and constructed specifically to measure all grades of fuel oil, diesel, gasoline or kerosene.

Flow Measurement
The measuring element shall be of the following types; (1) positive displacement (2) flow transmitter (3) other type approved by the Department for this application. Each measuring element shall maintain its accuracy over a wide flow range and be unaffected by flow disturbances.

Counter
The meter counter shall be of the following types; (1) ¿dry-type¿ mechanical counter which is physically separated from the fluid flow this counter shall display the accumulated total in U.S. gallons (metric counters available) and shall be non-resettable (2) mechanical counter with pulse output (3) electronic, digital display (LCD) may be used providing a resettable as well as non-resettable total and indication of flow-rate and operating hours.

Accuracy
The standard meter shall have an minimum accuracy of +or- 2.0% of actual value. Meters calibrated as matched pairs may be used for differential measurement applications.

GAS FUEL METERS:

For fuel meters measuring natural gas or LP, they shall be factory assembled, calibrated and tested, and incorporate the following features;

General
An in-line Billing Quality Gas Meter with appropriate Correcting Device should be employed to provide pressure & temperature compensated measuring accuracy within 2% of the upper range value (maximum calibrated fuel flow rate) across the measuring range of fuel flow rate to be

measured at the unit. Totalized compensated volume should be expressed in Standard Cubic Feet, based on standard conditions of 14.73 PSIA and at 60°F.

Flow Measurement
Acceptable Meters include; (1) Rotary Positive Displacement Meters, (2) Turbine Meters (3) Orifice, (4) Venturi Nozzles. Meters are sized based on actual flow conditions.

A variety of methods can be employed to properly compensate for pressure and temperature fluctuations in the gas stream in order to maintain accuracy within 2%. If conditions permit and both pressure and temperature can be held constant, fixed factors may be applied.

For installations where pressure and temperature can not be held constant, a correcting device should be employed to compensate for these fluctuations. Correcting devices include temperature (T) correcting devices and pressure (P) correcting device and super-compressibility (Z) devices. Depending on the meter technology, some of these functions can be incorporated into the meter, while others require an external device.

Counter
The meter itself should be equipped a non-resettable mechanical index. This correlates with the electronic uncorrected read from the PT Corrector - providing traceability and redundancy. The Corrector has pulse output which can be used to transmit flow data to an energy management system.

Rotary Meter Service & Calibration
It is recommended that the meter's readings be correlated with the Corrector on a semiannual basis. The instrument's pressure and temperature readings should tested for accuracy by comparing actual readings to a standard every 2 years.

Parameter Monitored: FUEL
Upper Permit Limit: 78 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 2-13: Visible Emissions Limited
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 211.2

Item 2-13.1:
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.

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

Condition 12: Emission Point Definition By Emission Unit
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 12.1(From Mod 2):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-0GEN1

Emission Point: 0002A
Height (ft.): 10 Diameter (in.): 4
NYTMN (km.): 4677.6 NYTME (km.): 599.5 Building: 21

Item 12.2(From Mod 2):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-0MAIN

Emission Point: 00001
Height (ft.): 130 Diameter (in.): 84
NYTMN (km.): 4677.624 NYTME (km.): 599.533 Building: 21

Item 12.3(From Mod 0):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 0-0GEN1

Emission Point: 00002 Removal Date: 02/07/2007
Height (ft.): 10 Diameter (in.): 4
NYTMN (km.): 4677.6 NYTME (km.): 599.5

Condition 13: Process Definition By Emission Unit
Effective between the dates of 09/20/2004 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 13.1(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-0GEN1
Process: CAT Source Classification Code: 2-01-001-02
Process Description:
The generator burns diesel fuel to provide emergency power and energy demand response.

Emission Source/Control: 0G01A - Combustion
Design Capacity: 1,120 kilowatts

Item 13.2(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-0MAIN
Process: GAS Source Classification Code: 1-02-006-02
Process Description: THE THREE POWERHOUSE BOILERS BURN NATURAL GAS.

Emission Source/Control: 00B01 - Combustion
Design Capacity: 25.106 million Btu per hour

Emission Source/Control: 00B02 - Combustion
Design Capacity: 25.106 million Btu per hour

Emission Source/Control: 00B03 - Combustion
Design Capacity: 10.46 million Btu per hour

Item 13.3(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-0MAIN
Process: OIL Source Classification Code: 1-02-004-01
Process Description:
THE THREE POWERHOUSE BOILERS BURN NATURAL GAS WITH NO.2 FUEL OIL BACKUP.

Emission Source/Control: 00B01 - Combustion
Design Capacity: 25.106 million Btu per hour

Emission Source/Control: 00B02 - Combustion
Design Capacity: 25.106 million Btu per hour

Emission Source/Control: 00B03 - Combustion
Design Capacity: 10.46 million Btu per hour

Item 13.4(From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 0-0GEN1
Process: GEN Source Classification Code: 2-01-001-02
Process End Date: 2/7/2007
Process Description: OPERATION OF DIESEL-FIRED GENERATOR

Emission Source/Control: 00G01 - Combustion Removal Date: 02/07/2007

Design Capacity: 400 kilowatts