



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility

Permit ID: 4-1228-00027/00015

Mod 0 Effective Date: 02/22/2011 Expiration Date: 02/21/2016

Mod 1 Effective Date: 08/04/2014 Expiration Date: No expiration date.

Mod 2 Effective Date: 12/15/2014 Expiration Date: 02/21/2016

Permit Issued To: FRIESLANDCAMPINA USA LP
40196 ST RTE 10
DELHI, NY 13753

Contact: THOMAS SLAWSKY
FRIESLAND CAMPINA USA LP
40196 ST HWY 10
DELHI, NY 13753
(607) 746-0222

Facility: FRIESLAND CAMPINA DOMO
40196 ST HWY 10
DELHI, NY 13753

Contact: THOMAS SLAWSKY
FRIESLAND CAMPINA USA LP
40196 ST HWY 10
DELHI, NY 13753
(607) 746-0222

Description:

Friesland Campina DOMO is proposing to modify the existing boilers to fire compressed natural gas. The facility is also proposing to retain the ability to fire Number 2 fuel oil during periods of gas curtailment.

New York State Department of Environmental Conservation
Facility DEC ID: 4122800027



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: MARTHA A BELLINGER
 NYSDEC - STAMFORD SUBOFFICE
 65561 ST RTE 10 STE 1
 STAMFORD, NY 12167

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
 - Applications for permit renewals, modifications and transfers
 - Permit modifications, suspensions or revocations by the Department
 - Permit modifications, suspensions or revocations by the Department

Facility Level

- Submission of application for permit modification or renewal-REGION 4 SUBOFFICE - STAMFORD



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 2-1: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 2-1.1:

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 SUBOFFICE - STAMFORD

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 Sub-office
Division of Environmental Permits

DEC Permit Conditions
Renewal 2/Mod 2/FINAL

New York State Department of Environmental Conservation
Facility DEC ID: 4122800027



65561 State Highway 10, Suite 1
Stamford, NY 12167-9503
(607) 652-7364

New York State Department of Environmental Conservation

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: FRIESLANDCAMPINA USA LP
40196 ST RTE 10
DELHI, NY 13753

Facility: FRIESLAND CAMPINA DOMO
40196 ST HWY 10
DELHI, NY 13753

Authorized Activity By Standard Industrial Classification Code:
2023 - CONDENSED AND EVAPORATED MILK

Mod 0 Permit Effective Date: 02/22/2011

Permit Expiration Date: 02/21/2016

Mod 2 Permit Effective Date: 12/15/2014

Permit Expiration Date: 02/21/2016



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2-1 6 NYCRR 201-6.4 (a) (7): Fees
- 2-2 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
- 2-3 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
- 2-4 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 2-5 6 NYCRR 201-6.4 (e): Compliance Certification
- 6 6 NYCRR 202-2.1: Compliance Certification
- 7 6 NYCRR 202-2.5: Recordkeeping requirements
- 8 6 NYCRR 215.2: Open Fires - Prohibitions
- 9 6 NYCRR 200.7: Maintenance of Equipment
- 2-6 6 NYCRR 201-1.7: Recycling and Salvage
- 11 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 2-7 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 2-8 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 2-9 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 2-10 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 2-11 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
- 18 6 NYCRR 202-1.1: Required Emissions Tests
- 20 40 CFR Part 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 22 6 NYCRR Subpart 201-6: Emission Unit Definition
- 2-12 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 2-13 6 NYCRR 211.1: Air pollution prohibited
- 24 6 NYCRR 212.4 (a): Emissions from new emission sources and/or modifications
- 25 6 NYCRR 212.4 (c): Compliance Certification
- 26 6 NYCRR 212.4 (c): Compliance Certification
- 27 6 NYCRR 212.4 (c): Compliance Certification
- 28 6 NYCRR 212.4 (c): Compliance Certification
- 29 6 NYCRR 212.4 (c): Compliance Certification
- 30 6 NYCRR 212.6 (a): Compliance Certification
- 31 6 NYCRR 212.6 (a): Compliance Certification
- 2-14 6 NYCRR 225-1.2 (g): Compliance Certification
- 2-15 6 NYCRR 225-1.2 (h): Compliance Certification
- 2-16 6 NYCRR 225-1.6 (f): Compliance Certification
- 33 6 NYCRR 227-1.3 (a): Compliance Certification
- 34 6 NYCRR 227-1.3 (a): Compliance Certification
- 35 6 NYCRR 227-1.6: Corrective Action

Emission Unit Level

- 70 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 71 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=1-BOILR

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- 2-17 40CFR 63.7510(e), Subpart DDDDD: Compliance Certification
- 2-18 40CFR 63.7530, Subpart DDDDD: Compliance Certification
- 2-19 40CFR 63.7540(a), Subpart DDDDD: Compliance Certification
- 2-20 40CFR 63.7545(a), Subpart DDDDD: Compliance Certification
- 2-21 40CFR 63.7545(f), Subpart DDDDD: Compliance Certification
- 2-22 40CFR 63.7545(h), Subpart DDDDD: Compliance Certification
- 2-23 40CFR 63.7550(b), Subpart DDDDD: Compliance Certification
- 2-24 40CFR 63.7555(a), Subpart DDDDD: Compliance Certification
- 2-25 40CFR 63.7555(h), Subpart DDDDD: Compliance Certification
- 2-26 40CFR 63.7555(i), Subpart DDDDD: Compliance Certification

EU=1-BOILR,Proc=OIL

- 2-27 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=1-BOILR,Proc=OIL,ES=BOIL2

- 2-28 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 2-29 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Certification
- 2-30 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 2-31 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability
- 2-32 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.
- 2-33 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Certification
- 2-34 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Certification
- 2-35 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Certification
- 2-36 40CFR 60.48c(g)(2), NSPS Subpart Dc: Alternative Recordkeeping
- 2-37 40CFR 60.48c(g)(3), NSPS Subpart Dc: Reporting and Recordkeeping Requirements
- 2-38 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Certification

EU=1-BOILR,Proc=OIL,ES=BOIL2

- 2-39 40CFR 60.48c(j), NSPS Subpart Dc: Reporting period

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 72 ECL 19-0301: Contaminant List
- 2-40 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 2-41 6 NYCRR 211.2: Visible Emissions Limited



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.

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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.

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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

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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

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(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 02/22/2011 and 02/21/2016

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 2-1: Fees
Effective between the dates of 12/15/2014 and 02/21/2016

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

Item 2-1.1:

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 2-2: Recordkeeping and Reporting of Compliance Monitoring
Effective between the dates of 12/15/2014 and 02/21/2016

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

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Item 2-2.1:

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 2-3: Records of Monitoring, Sampling, and Measurement
Effective between the dates of 12/15/2014 and 02/21/2016**

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

Item 2-3.1:

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 2-4: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016**

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

Item 2-4.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-4.2:

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

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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 may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent 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) and one copy shall be sent to the Administrator (or his or her representative). 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.

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Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

Condition 2-5: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

Item 2-5.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-5.2:

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.

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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 annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent 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) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section
USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
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 02/22/2011 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 202-2.1

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

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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.

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 02/22/2011 and 02/21/2016**

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 - Prohibitions
Effective between the dates of 02/22/2011 and 02/21/2016**

Applicable Federal Requirement:6 NYCRR 215.2

Item 8.1:

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 8.2

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

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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 9: Maintenance of Equipment
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 200.7

Item 9.1:

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 2-6: Recycling and Salvage

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Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement:6 NYCRR 201-1.7

Replaces Condition(s) 10

Item 2-6.1:

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 11: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 11.1:

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 2-7: Exempt Sources - Proof of Eligibility

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 12

Item 2-7.1:

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 2-8: Trivial Sources - Proof of Eligibility

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 13

Item 2-8.1:

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 2-9: Requirement to Provide Information

Effective between the dates of 12/15/2014 and 02/21/2016

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

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Item 2-9.1:

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 2-10: Right to Inspect

Effective between the dates of 12/15/2014 and 02/21/2016

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

Item 2-10.1:

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 2-11: Off Permit Changes

Effective between the dates of 12/15/2014 and 02/21/2016

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

Item 2-11.1:

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

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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 18: Required Emissions Tests
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 18.1:

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 20: Accidental release provisions.
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:40 CFR Part 68

Item 20.1:

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 21: Recycling and Emissions Reduction
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:40CFR 82, Subpart F

Item 21.1:

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 22: Emission Unit Definition

Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1(From Mod 2):

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

Emission Unit: 1-BOILR

Emission Unit Description:

This emission unit consists of two boilers used to provide building heat and process steam. The boilers burn natural gas and No. 2 fuel oil during periods of natural gas curtailment. Boilers No. 1 and No. 2 vent to a common exhaust.

Building(s): 1

Item 22.2(From Mod 0):

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

Emission Unit: 1-BLEND

Emission Unit Description:

This emission unit consists of a powdered protein mix station (wet blender) and a clean in place (CIP) station.

Building(s): 1

Item 22.3(From Mod 0):

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

Emission Unit: 1-DRYER

Emission Unit Description:

This emission unit consists of a spray tower dryer and V-Bottom dryer. The dryers are used to dry protein powders.

Building(s): 1

Item 22.4(From Mod 0):

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

Emission Unit: 1-PUMPS

Emission Unit Description:

This emission unit consists of a waste water diffusion tank and two vacuum pumps.

Building(s): 1

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Item 22.5(From Mod 0):

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

Emission Unit: 1-TANKS

Emission Unit Description:

This emission unit consists of several tanks, digesters and mix vessels that are exhausted to a wet scrubber. In addition, this emission unit consists of an enzyme "weigh out" process with a dedicated wet scrubber.

Building(s): 1

Condition 2-12: Progress Reports Due Semiannually

Effective between the dates of 12/15/2014 and 02/21/2016

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

Item 2-12.1:

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 2-13: Air pollution prohibited

Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement:6 NYCRR 211.1

Item 2-13.1:

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 24: Emissions from new emission sources and/or modifications

Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:6 NYCRR 212.4 (a)

Item 24.1:

This Condition applies to:

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Emission Unit: 1BLEND

Emission Unit: 1DRYER

Emission Unit: 1PUMPS

Emission Unit: 1TANKS

Item 24.2:

No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

Condition 25: Compliance Certification

Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 212.4 (c)

Item 25.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-BLEND

Emission Unit: 1-DRYER

Emission Unit: 1-TANKS

Regulated Contaminant(s):

CAS No: 000000-00-00 PARTICULATES

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted by the facility at the request of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 26: Compliance Certification
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 212.4 (c)

Item 26.1:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-DRYER Emission Point: 10004
Process: 004

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

Item 26.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Particulate emissions from Emission Point 10004 (Process 004) are limited to 0.05 gr/dscf. The facility shall demonstrate continuous compliance with the emission rate by maintaining the pressure drop across the fabric filter within the operating range of 0.5 inches of water column to 6 inches of water column.

The facility shall monitor the pressure drop across the fabric filter once daily to check that it is within the normal operating range of 0.5 inches of water column to 6 inches of water column. The facility shall maintain a logbook of the daily pressure drop checks. The logbook shall include, at a minimum, the date and time of the checks, the pressure drop readings, any excursions, and any corrective actions.

Stack testing to demonstrate compliance with the particulate emission standard will be performed at the request of the Department.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 0.5 inches of water

Upper Permit Limit: 6 inches of water

Monitoring Frequency: DAILY

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED
RANGE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 7/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 27: Compliance Certification
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 212.4 (c)

Item 27.1:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-TANKS Emission Point: 10006
Process: 007

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

Item 27.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Particulate emissions from Emission Unit 1-TANKS are limited to 0.05 gr/dscf. The facility shall demonstrate continuous compliance with the emission rate by maintaining the wet scrubber outlet water pressure at greater than or equal to 15 psi.

The facility shall monitor the wet scrubber outlet water pressure once daily to check that it is in the normal operating level of greater than or equal to 15 psi. The facility shall maintain a logbook of the daily wet scrubber outlet pressure checks. The logbook shall include, at a minimum, the date and time of the checks, the wet scrubber outlet water pressure readings, any excursions, and any corrective actions.

Stack testing to demonstrate compliance with the particulate emission standard will be performed at the request of the Department.

Parameter Monitored: PRESSURE

Lower Permit Limit: 15 pounds per square inch gauge

Monitoring Frequency: DAILY

Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED
RANGE AT ANY TIME

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).

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Condition 28: Compliance Certification

Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 212.4 (c)

Item 28.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-DRYER

Emission Point: 10003

Process: 003

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 28.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Particulate emissions from Emission Point 10003 (Process 003) are limited to 0.05 gr/dscf. The facility shall demonstrate continuous compliance with the emission rate by maintaining the wet scrubber outlet water pressure at greater than or equal to 30 psi.

The facility shall monitor the wet scrubber outlet water pressure once daily to check that it is in the normal operating level of greater than or equal to 30 psi. The facility shall maintain a logbook of the daily wet scrubber outlet pressure checks. The logbook shall include, at a minimum, the date and time of the checks, the wet scrubber outlet water pressure readings, any excursions, and any corrective actions.

Stack testing to demonstrate compliance with the particulate emission standard will be performed at the request of the Department.

Parameter Monitored: PRESSURE

Lower Permit Limit: 30 pounds per square inch gauge

Monitoring Frequency: DAILY

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

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 29: Compliance Certification

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Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:6 NYCRR 212.4 (c)

Item 29.1:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-BLEND

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

The facility owner/operator shall conduct a visible emissions observation (determining the presence or absence of visible emissions greater than the limit specified) of all emission points and/or emission sources once per day, during daylight hours, except during conditions of extreme weather (fog, snow, rain). If any visible emissions are noted above the limit specified, corrective action is required.

Daily records of the visible emissions observations are to be maintained, including the date, time of observation, weather conditions, results of the visible emissions observations, corrective actions taken, and explanations for days when weather conditions are prohibitive, on-site for a period of five years.

The Department reserves the right to require the performance of a stack test, in accordance with EPA Method 5, to demonstrate compliance with the particulate emission standard.

Monitoring Frequency: DAILY

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 30: Compliance Certification

Effective between the dates of 02/22/2011 and 02/21/2016

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Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 30.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-BLEND

Emission Unit: 1-DRYER

Emission Unit: 1-PUMPS

Emission Unit: 1-TANKS

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 cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: METHOD 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

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: Compliance Certification

Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:6 NYCRR 212.6 (a)

Item 31.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-BLEND

Emission Unit: 1-DRYER

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Emission Unit: 1-PUMPS

Emission Unit: 1-TANKS

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The facility owner/operator shall conduct a visible emissions observation (determining the presence or absence of visible emissions greater than the limit specified) of all emission points and/or emission sources once per day, during daylight hours, except during conditions of extreme weather (fog, snow, rain). If any visible emissions are noted above the limit specified, corrective action is required.

If any visible emissions greater than the limit specified (except the emission of uncombined water) are observed for three consecutive operating days from the same emission point and/or emission source, the facility owner/operator will notify the Department of the observations within one business day. The facility owner/operator will also perform a Method 9 analysis of the affected emission point and submit the results to the Department.

Daily records of the visible emissions observations are to be maintained, including the date, time of observation, weather conditions, results of the visible emissions observations, corrective actions taken, and explanations for days when weather conditions are prohibitive, on-site for a period of five years.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation.

Monitoring Frequency: DAILY

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 2-14: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

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Item 2-14.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-14.2:

Compliance Certification 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 2-15: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

Item 2-15.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-15.2:

Compliance Certification 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

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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 2-16: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 225-1.6 (f)

Item 2-16.1:

The Compliance Certification activity will be performed for the Facility.

Item 2-16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility owners subject to this Subpart must submit a written report of the fuel sulfur content exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable equivalent emission rate, and the nature and cause of such exceedances if known, for each calendar quarter, within 30 days after the end of any quarterly period in which an exceedance takes place.

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

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these records and summaries upon request of the
Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 33: Compliance Certification
Effective between the dates of 02/22/2011 and 02/21/2016

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

Item 33.1:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-BOILER

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: METHOD 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

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 34: Compliance Certification
Effective between the dates of 02/22/2011 and 02/21/2016

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

Item 34.1:

The Compliance Certification activity will be performed for the facility:

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The Compliance Certification applies to:

Emission Unit: 1-BOILER

Item 34.2:

Compliance Certification 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?

Incident 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

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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: 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 35: Corrective Action

Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 227-1.6

Item 35.1:

This Condition applies to:

Emission Unit: 1BOILR

Item 35.2:

(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.

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

Condition 70: Emission Point Definition By Emission Unit

Effective between the dates of 02/22/2011 and 02/21/2016

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Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 70.1(From Mod 2):

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

Emission Unit: 1-BOILR

Emission Point: 10001

Height (ft.): 70

Diameter (in.): 48

NYTMN (km.): 4676.843 NYTME (km.): 502.994 Building: 1

Item 70.2(From Mod 0):

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

Emission Unit: 1-BLEND

Emission Point: 10046

Height (ft.): 26

Diameter (in.): 24

NYTMN (km.): 4676.992 NYTME (km.): 503.05 Building: 1

Item 70.3(From Mod 0):

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

Emission Unit: 1-DRYER

Emission Point: 10003

Height (ft.): 65

Diameter (in.): 36

NYTMN (km.): 4676.904 NYTME (km.): 502.998 Building: 1

Emission Point: 10004

Height (ft.): 35

Diameter (in.): 31

NYTMN (km.): 4676.9 NYTME (km.): 502.989 Building: 1

Item 70.4(From Mod 0):

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

Emission Unit: 1-PUMPS

Emission Point: 10005

Height (ft.): 24

Diameter (in.): 24

NYTMN (km.): 4677.091 NYTME (km.): 503.028 Building: 1

Emission Point: 10041

Height (ft.): 28

Diameter (in.): 2

NYTMN (km.): 4677.088 NYTME (km.): 503.041 Building: 1

Item 70.5(From Mod 0):

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

Emission Unit: 1-TANKS

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Emission Point: 10006
Height (ft.): 27 Diameter (in.): 12
NYTMN (km.): 4676.824 NYTME (km.): 503.011 Building: 1

Emission Point: 10007
Height (ft.): 27 Diameter (in.): 10
NYTMN (km.): 4676.824 NYTME (km.): 503.011 Building: 1

Condition 71: Process Definition By Emission Unit
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 71.1(From Mod 2):

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

Emission Unit: 1-BOILR
Process: GAS Source Classification Code: 1-02-006-02
Process Description:
This process consists of boiler No. 1 and No. 2 firing
natural gas.

Emission Source/Control: BOIL1 - Combustion
Design Capacity: 16.7 million Btu per hour

Emission Source/Control: BOIL2 - Combustion
Design Capacity: 29.3 million Btu per hour

Item 71.2(From Mod 2):

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

Emission Unit: 1-BOILR
Process: OIL Source Classification Code: 1-02-005-01
Process Description:
This process consists of boiler No. 1 and No. 2 firing
No. 2 fuel oil during periods of natural gas curtailment.

Emission Source/Control: BOIL1 - Combustion
Design Capacity: 16.7 million Btu per hour

Emission Source/Control: BOIL2 - Combustion
Design Capacity: 29.3 million Btu per hour

Item 71.3(From Mod 0):

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

Emission Unit: 1-BLEND
Process: 005 Source Classification Code: 3-99-999-94
Process Description:
This process consists of a covered mix tank where
powdered proteins are added to water. Emissions result
from bag dumping and loading operations. A hood is used

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to capture the protein powder that results from the bags being emptied into the blender. Emissions are exhausted through Emission Point 10046.

Emission Source/Control: BLEND - Process

Item 71.4(From Mod 0):

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

Emission Unit: 1-BLEND

Process: 006

Source Classification Code: 3-99-999-94

Process Description:

This process consists of a heated water bath (CIP station) that uses acids and caustics in the cleaning process. Emissions are exhausted through Emission Point 10046.

Emission Source/Control: CIPST - Process

Item 71.5(From Mod 0):

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

Emission Unit: 1-DRYER

Process: 003

Source Classification Code: 3-99-999-94

Process Description:

This process consists of a steam heated vertical spray tower dryer used to dry hydrolyzed protein powder (product). Four main cyclones are used to capture product for bagging and one wet scrubber is used for emissions control. Emissions are exhausted through Emission Point 10003.

Emission Source/Control: SCRB1 - Control

Control Type: WET SCRUBBER

Emission Source/Control: CYCLA - Process

Emission Source/Control: TOWER - Process

Design Capacity: 900 pounds per hour

Item 71.6(From Mod 0):

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

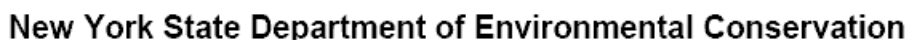
Emission Unit: 1-DRYER

Process: 004

Source Classification Code: 3-99-999-94

Process Description:

This process consists of a liquid propane gas fired (direct fired) horizontal dryer used to dry hydrolyzed protein powder (product). Four main cyclones are used to capture product for bagging and one fabric filter is used for emissions control. Emissions are exhausted through Emission Point 10004.



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Emission Source/Control: VBOTT - Process
Design Capacity: 460 pounds per hour

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

Emission Source/Control: DTANK - Process

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

Emission Source/Control: VPUMP - Process

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

Emission Source/Control: TANKS - Process

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

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Emission Unit: 1-TANKS

Process: E08

Source Classification Code: 3-99-999-94

Process Description:

Process 008 consists of an enzyme "weigh out" process that is exhausted to a wet scrubber. Emissions are exhausted through Emission Point 10007.

Emission Source/Control: ESCRB - Control

Control Type: WET SCRUBBER

Emission Source/Control: EWOUT - Process

Condition 2-17: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 40CFR 63.7510(e), Subpart DDDDD

Item 2-17.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-17.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing boiler or process heater subject to the requirements of 40 CFR 60 Subpart DDDDD must:

(1) Complete an initial compliance demonstration, as described in 40 CFR 63.7510(a) - (d) and according to the applicable provisions in 40 CFR 63.7(a)(2), as cited in Table 10 of 40 CFR 63 Subpart DDDDD, no later than July 31st, 2016.

(2) Complete an initial tune-up of each existing boiler, as described in 40 CFR 63.7540(a)(10)(i) - (vi) no later than January 31st, 2016; and

(3) Complete a one-time energy assessment, as described in Table 3 of 40 CFR 63 Subpart DDDDD, no later than January 31st, 2016.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-18: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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Applicable Federal Requirement:40CFR 63.7530, Subpart DDDDD

Item 2-18.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-18.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to demonstrate initial compliance with 40 CFR 63 Subpart DDDDD, the owner or operator of an affected boiler or process heater must:

1. Include a signed statement in the notification of compliance report that indicates a tune-up of the unit was conducted;
2. Include a signed certification that the energy assessment required by Table 3 of Subpart DDDDD was completed and is an accurate depiction of the facility at the time of assessment; and
3. Submit the notification of compliance status containing the items above and the items described in 40 CFR 63.7545(e)(1) - (8) to the Department.

The notification of compliance status developed pursuant to this condition must be submitted no later than 60 days following the completion of all performance tests and/or initial compliance demonstrations for all boilers and process heaters at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-19: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement:40CFR 63.7540(a), Subpart DDDDD

Item 2-19.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-19.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a boiler or process heater with a continuous oxygen trim system that maintains an optimum air to fuel ratio must conduct a tune-up of the boiler or process heater every 5 years (no more than 61 months after the previous tune-up) as specified below to demonstrate continuous compliance.

(i) As applicable, inspect each burner and clean or replace any components of the burner as necessary. At units where entry into a piece of process equipment or into a storage vessel is required to complete the tune-up inspections, inspections are required only during planned entries into the storage vessel or process equipment. The burner inspection may be delayed until the next scheduled or unscheduled unit shutdown, however each burner must be inspected at least once every 72 months.

(ii) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.

(iii) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly. The air-to-fuel ratio controller inspection may be delayed until the next scheduled unit shutdown.

(iv) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any NOX requirement to which the unit is subject.

(v) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer.

(vi) Maintain on-site and submit, if requested by the Department, an annual report containing the information in paragraphs (A) through (C) below:

(A) The concentrations of CO in the effluent stream in parts per million by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler or process heater;

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(B) A description of any corrective actions taken as a part of the tune-up; and

(C) The type and amount of fuel used over the 12 months prior to the tune-up, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel used by each unit.

Monitoring Frequency: Once every five years

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-20: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement:40CFR 63.7545(a), Subpart DDDDD

Item 2-20.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-20.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator must submit all of the notifications required by 40 CFR 63 Sections 63.7(b), 63.7(c), 63.8(e), 63.8(f)(4), 63.8(f)(6), and 63.9(b) - (h), as applicable, by the dates specified in those sections.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-21: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement:40CFR 63.7545(f), Subpart DDDDD

Item 2-21.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-21.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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Monitoring Description:

The owner or operator of a boiler or process heater designed to burn natural gas, refinery gas, or other gas 1 fuels that intends to use a fuel other than natural gas, refinery gas, gaseous fuel subject to another Subpart of 40 CFR 63, 40 CFR Part 60, 40 CFR Part 61, or 40 CFR Part 65, or other gas 1 fuel to fire the unit during a period of natural gas curtailment or supply interruption, as defined in 40 CFR 63.7575, must submit a notification of alternative fuel use to the Department within 48 hours of the declaration of each period of natural gas curtailment or supply interruption. Such a notification must include the following information:

- (1) Company name and address;
- (2) Identification of the affected unit(s);
- (3) Reason the facility is unable to use natural gas or equivalent fuel, including the date when the natural gas curtailment was declared or the natural gas supply interruption began;
- (4) Type of alternative fuel that the facility intends to use; and
- (5) Dates when the alternative fuel use is expected to begin and end.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-22: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 40CFR 63.7545(h), Subpart DDDDD

Item 2-22.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-22.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator must provide the Department with a notice of each fuel switch and/or physical change to the boiler that results in the applicability of a different subcategory. Such notice must

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be submitted within 30 days of the fuel switch or change, and must identify:

(1) The name of the owner or operator of the facility, the location of the facility, the boiler(s) and process heater(s) that have switched fuels and/or were physically changed, and the date of the notice.

(2) The currently applicable subcategory as described in 40 CFR 63 Subpart DDDDD.

(3) The date upon which the fuel switch or physical change occurred.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-23: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 40CFR 63.7550(b), Subpart DDDDD

Item 2-23.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator must submit a five-year compliance report to the Department in order to demonstrate compliance with the requirements of 40 CFR 63 Subpart DDDDD.

The first such compliance report is due five years after the compliance date specified in 40 CFR 63.7495. The compliance date for this facility is January 31st, 2016. Accordingly, the first compliance report for this facility is due January 31st, 2021. The report shall cover the period beginning on the compliance date and each annual period (January 1 through December 31) that makes up the total five-year reporting period.

Each subsequent compliance report shall cover the five-year period beginning on January 1st of the first year and ending December 31st of the fifth year. Each compliance report is due no later than January 31st of the reporting year.

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Compliance reports submitted pursuant to this condition shall contain the following information:

- (1) Company and facility name and address;
- (2) Process unit information, emissions limitations, and operating parameter limitations;
- (3) Date of report and beginning and ending dates of the reporting period;
- (4) The total operating time during the period;
- (5) The date of the most recent tune-up and the date of the most recent burner inspection if it was delayed until the next scheduled or unscheduled unit shutdown.

Monitoring Frequency: Once every five years

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-24: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 40CFR 63.7555(a), Subpart DDDDD

Item 2-24.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILER

Item 2-24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator must maintain the following records:

(1) A copy of each notification and report submitted to comply with the requirements of 40 CFR 63 Subpart DDDDD, including all documentation supporting any initial notification, notification of compliance status, or compliance report submitted by the facility, according to the requirements of 40 CFR 63.10(b)(2)(xiv).

(2) Records of performance tests, fuel analyses, or other compliance demonstrations and performance evaluations, according to the requirements of 40 CFR 63.10(b)(2)(viii).

Records kept pursuant to this condition must be maintained

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at the facility for a period of at least five years, and
must be made available the the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-25: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement:40CFR 63.7555(h), Subpart DDDDD

Item 2-25.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator must maintain a record of
the total hours per calendar year that an alternative fuel
is burned in each boiler and process heater at the
facility and of the total hours per calendar year that
each boiler and process heater is operated during periods
of gas curtailment or gas supply emergencies.

Records kept pursuant to this condition must be maintained
at the facility for a period of at least five years, and
must be made available to the Department upon request.

Monitoring Frequency: ANNUALLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-26: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement:40CFR 63.7555(i), Subpart DDDDD

Item 2-26.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Item 2-26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility owner or operator must maintain a record of

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the calendar date, time, occurrence, and duration of each start-up and shutdown of the affected boilers and process heaters. In addition, the facility owner or operator must maintain a record of the type and amount of each fuel used during each period of start-up and shutdown.

Records kept pursuant to this condition must be maintained at the facility for a period of at least five years, and must be made available to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-27: Compliance Certification
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 2-27.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILER
Process: OIL

Regulated Contaminant(s):
CAS No: 000000-00-0 PARTICULATES

Item 2-27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following upon request by the Department:

- 1) submit an acceptable protocol for the testing of particulate emission limit cited in this condition to the Department,
- 2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and
- 3) submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

The facility shall maintain all records at the facility for a minimum of five (5) years.

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Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA Reference Test Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST

METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 2-28: Applicability of General Provisions of 40 CFR 60 Subpart A
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 2-28.1:

This Condition applies to:

Emission Unit: 1BOILR

Process: GAS

Emission Source: BOIL2

Item 2-28.1:

This Condition applies to Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-28.2.3:

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

Condition 2-29: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 60

Item 2-29.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 2-29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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On or after the date on which the initial performance test is completed or required to be completed under 40 CFR 60.8, the facility owner or operator shall not combust oil with a sulfur content in excess of 0.5 percent by weight.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

**Condition 2-30: Exemption from the averaging period.
Effective between the dates of 12/15/2014 and 02/21/2016**

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

Replaces Condition(s) 61

Item 2-30.1:

This Condition applies to Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-30.2:

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

**Condition 2-31: Enforceability
Effective between the dates of 12/15/2014 and 02/21/2016**

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

Replaces Condition(s) 62

Item 2-31.1:

This Condition applies to Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-31.2:

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

**Condition 2-32: Exemption from sulfur dioxide monitoring requirements.
Effective between the dates of 12/15/2014 and 02/21/2016**

Applicable Federal Requirement: 40CFR 60.46c(e), NSPS Subpart Dc

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Replaces Condition(s) 63

Item 2-32.1:

This Condition applies to Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-32.2:

Facilities subject to paragraphs 40 CFR 60-Dc.42c(h)(1), (2), or (3) showing compliance through vendor certification shall be exempt from section 40 CFR 60-Dc.46c.

Condition 2-33: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 64

Item 2-33.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 2-33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

Condition 2-34: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 65

Item 2-34.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

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Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 2-34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records as required under §60.48c(d) including the following information.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

Condition 2-35: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

Item 2-35.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 2-35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Fuel supplier certification shall include the following information for distillate oil:

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- i) The name of the oil supplier, and
- ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.
- iii) The sulfur content or maximum sulfur content of the oil.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

Condition 2-36: Alternative Recordkeeping

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 67

Item 2-36.1:

This Condition applies to:

Emission Unit: 1BOILR

Process: GAS

Emission Source: BOIL2

Item 2-36.1:

This Condition applies to Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-36.2.3:

As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in 40 CFR 60.48c(f) to demonstrate compliance with the SO₂ standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

Condition 2-37: Reporting and Recordkeeping Requirements

Effective between the dates of 12/15/2014 and 02/21/2016

Applicable Federal Requirement: 40CFR 60.48c(g)(3), NSPS Subpart Dc

Item 2-37.1:

This Condition applies to:

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Facility DEC ID: 4122800027



Emission Unit: 1BOILR

Process: GAS

Emission Source: BOIL2

Item 2-37.1:

This Condition applies to Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-37.2.3:

As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the owner or operator of an affected facility or multiple affected facilities located on a contiguous property unit where the only fuels combusted in any steam generating unit (including steam generating units not subject to this subpart) at that property are natural gas, wood, distillate oil meeting the most current requirements in 40 CFR 60.42c to use fuel certification to demonstrate compliance with the SO₂ standard, and/or fuels, excluding coal and residual oil, not subject to an emissions standard (excluding opacity) may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month.

Condition 2-38: Compliance Certification

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 68

Item 2-38.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-BOILR

Process: GAS

Emission Source: BOIL2

Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

**** NOTE**** Records shall be maintained for a minimum of five years to achieve compliance with the requirements of Title V.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

Condition 2-39: Reporting period

Effective between the dates of 12/15/2014 and 02/21/2016

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

Replaces Condition(s) 69

Item 2-39.1:

This Condition applies to Emission Unit: 1-BOILR

Process: OIL

Emission Source: BOIL2

Item 2-39.2: The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period



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 72: Contaminant List
Effective between the dates of 02/22/2011 and 02/21/2016

Applicable State Requirement:ECL 19-0301

Item 72.1:

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

New York State Department of Environmental Conservation

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CAS No: ONY075-00-0
Name: PARTICULATES

Condition 2-40: Malfunctions and start-up/shutdown activities
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable State Requirement:6 NYCRR 201-1.4

Replaces Condition(s) 73

Item 2-40.1:

(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 2-41: Visible Emissions Limited
Effective between the dates of 12/15/2014 and 02/21/2016

Applicable State Requirement:6 NYCRR 211.2

Replaces Condition(s) 74

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Item 2-41.1:

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.

