

**New York State Department of Environmental Conservation
Facility DEC ID: 4272200012**



**PERMIT
Under the Environmental Conservation Law (ECL)**

IDENTIFICATION INFORMATION

PAir State Facility

Permit ID: 4-2722-00012/00016

Mod 0 Effective Date: 04/21/1999 Expiration Date: No expiration date.

Mod 2 Effective Date: 04/11/2003 Expiration Date: No expiration date.

Mod 3 Effective Date: 03/11/2005 Expiration Date: No expiration date.

Permit Issued To: BEECH-NUT NUTRITION CORP
102 CHURCH ST
CANAJOHARIE, NY 13317-1100

ROBERT A.. HARVEY

102 CHURCH STREET
CANAJOHARIE, NY 13317
(518) 673-3251

Facility: BEECH NUT FOODS CORP
102 CHURCH ST
CANAJOHARIE, NY 13317

Description:

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

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

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 4
HEADQUARTERS

Submission of Applications for Permit Modification or Renewal -REGION 4
HEADQUARTERS



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

Condition 2-1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 2-1.1:

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 2-1.2:

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 2-1.3:

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 1: Facility Inspection by the Department
Applicable State Requirement: ECL 3-0301.2(g)

Expired by Mod No: 2

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. 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



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rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 2-2: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:

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

Item 2-2.2:

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

Item 2-2.3:

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

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

Expired by Mod No: 2

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.

Condition 2-3: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 2-3.1:

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;



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

Condition 4: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Expired by Mod No: 2

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

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

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

Expired by Mod No: 2

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1150 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2068

Condition 2-4: Submission of Applications for Permit Modification or Renewal -REGION 4 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 2-4.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1150 North Westcott Rd.

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Schenectady, NY 12306-2014
(518) 357-2069



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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: BEECH-NUT NUTRITION CORP
102 CHURCH ST
CANAJOHARIE, NY 13317-1100

Facility: BEECH NUT FOODS CORP
102 CHURCH ST
CANAJOHARIE, NY 13317

Authorized Activity By Standard Industrial Classification Code:
2032 - CANNED SPECIALTIES

Mod 0 Permit Effective Date: 04/21/1999

Permit Expiration Date: No expiration date.

Mod 2 Permit Effective Date: 04/11/2003



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 18 6NYCRR 225-1.6(b): Compliance.
- 19 6NYCRR 225-1.8(a): Compliance Demonstration
- 20 6NYCRR 225-1.8(d): Reports, Sampling and Analysis

Emission Unit Level

EU=1-BOIL1

- 2-1 6NYCRR 227-1.3(a): Compliance Demonstration
- 2-2 6NYCRR 227-1.6(a): Corrective Action
- 2-3 6NYCRR 227-1.6(b): Corrective Action
- 2-4 6NYCRR 227-1.6(c): Corrective Action
- 2-5 6NYCRR 227-1.6(d): Corrective Action

EU=1-BOIL1,Proc=F06

- 2-6 6NYCRR 227-1.2(b): Multiple combustion sources.
- 2-7 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-BOIL1,Proc=F06,ES=B0009

- 3-2 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration
- 3-3 40CFR 60.42c(g), NSPS Subpart Dc: Averaging period.
- 3-4 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 3-5 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration
- 3-6 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.
- 3-7 40CFR 60.44c(g), NSPS Subpart Dc: Compliance Demonstration
- 3-8 40CFR 60.45c(a), NSPS Subpart Dc: Compliance Demonstration
- 3-9 40CFR 60.46c(d)(2), NSPS Subpart Dc: Compliance Demonstration
- 3-10 40CFR 60.47c, NSPS Subpart Dc: Compliance Demonstration
- 3-11 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 3-12 40CFR 60.48c(b), NSPS Subpart Dc: Compliance Demonstration
- 3-13 40CFR 60.48c(c), NSPS Subpart Dc: Compliance Demonstration
- 3-14 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 3-1 40CFR 60.48c(e), NSPS Subpart Dc: Compliance Demonstration
- 3-15 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 3-16 40CFR 60.48c(i), NSPS Subpart Dc: Duration of records maintained.

EU=1-BOIL1,Proc=NG1,ES=B0009

- 2-8 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 2-9 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 2-10 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 2-11 40CFR 60.48c(i), NSPS Subpart Dc: Duration of records maintained.

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EU=2-FOOD1

- 28 6NYCRR 212.4(c): Compliance Demonstration
- 29 6NYCRR 212.6(a): 212.6(a) - Opacity standard

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 2-12 ECL 19-0301: Contaminant List
- 2-13 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 35 6NYCRR 201-5: Emission Unit Definition
- 3-17 6NYCRR 201-7.2: Facility Permissible Emissions
- *3-18 6NYCRR 201-7.2: Capping Monitoring Condition
- 36 6NYCRR 211.2: Air pollution prohibited
- 39 6NYCRR 225-1.2(a)(2): Compliance Demonstration

Emission Unit Level

- 40 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 41 6NYCRR 201-5: Process Definition By Emission Unit

EU=1-BOIL1

- *3-19 6NYCRR 201-7.2: Capping Monitoring Condition
- *3-20 6NYCRR 201-7.2: Capping Monitoring Condition

EU=1-BOIL1,Proc=F06

- 2-14 6NYCRR 227-1.2(a)(2): Compliance Demonstration

EU=1-BOIL1,EP=00020

- 2-15 6NYCRR 201-5.3(b): Compliance Demonstration

NOTE: * preceding the condition number indicates capping. Permit Expiration Date: No expiration date.

Mod 3 Permit Effective Date: 03/11/2005

Permit Expiration Date: No expiration date.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

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

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

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

Any person who owns or operates an air contamination

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: Permit Exclusion - ECL 19-0305

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

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

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

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

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 18: Compliance.
Effective between the dates of 04/21/1999 and Permit Expiration Date

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

Item 18.1:

As of January 1, 1988 any person who buys, sells, offer for sale, or uses fuel must comply with the percent sulfur requirements specified in section 6 NYCRR 225-1.2 of this regulation.

Condition 19: Compliance Demonstration
Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.8(a)

Item 19.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 20: Reports, Sampling and Analysis
Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.8(d)

Item 20.1:

Sampling, compositing and analysis of fuel samples must be done in accordance with methods acceptable to the commissioner.

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

Condition 2-1: Compliance Demonstration
Effective between the dates of 04/11/2003 and Permit Expiration Date

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

Item 2-1.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Item 2-1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No owner or operator of a combustion installation shall 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.



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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: UPON REQUEST BY REGULATORY AGENCY

Condition 2-2: Corrective Action
Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(a)

Item 2-2.1:

This Condition applies to Emission Unit: 1-BOIL1

Item 2-2.2:

Any facility found in violation of the provisions of this Part shall not cause, permit, or allow the operation of the affected stationary combustion installation 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.

Condition 2-3: Corrective Action
Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(b)

Item 2-3.1:

This Condition applies to Emission Unit: 1-BOIL1

Item 2-3.2:

The commissioner may seal such stationary combustion installation so as to prevent any operation if the conditions of paragraphs 6 NYCRR Part 227-1.6(a)(1)-(3) are not met within the time provided by the order of final determination issued in the case of the violation.

Condition 2-4: Corrective Action
Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(c)

Item 2-4.1:

This Condition applies to Emission Unit: 1-BOIL1

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Item 2-4.2:

No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with 6 NYCRR Part 227-1.6.

Condition 2-5: Corrective Action

Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.6(d)

Item 2-5.1:

This Condition applies to Emission Unit: 1-BOIL1

Item 2-5.2:

No person except the commissioner or his representatives shall remove, tamper with or destroy any seal affixed to any stationary combustion installation in accordance with 6 NYCRR Part 227-1.6.

Condition 2-6: Multiple combustion sources.

Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.2(b)

Item 2-6.1:

This Condition applies to Emission Unit: 1-BOIL1
Process: F06

Item 2-6.2:

The total heat input of all furnaces connected to the same stack or pollution control device shall be used to calculate the permissible particulate emission rate.

Condition 2-7: Compliance Demonstration

Effective between the dates of 04/11/2003 and Permit Expiration Date

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

Item 2-7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1
Process: F06

Item 2-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

No owner or operator of a combustion installation shall

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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.

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 log book 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 log book 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 log book. 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.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-2: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-2.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 3-2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

The owner or operator shall collect oil samples of residual fuel oil and monitor sulfur content. The monitoring frequency shall be in accordance with the



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applicable requirements listed elsewhere in this permit for "40CFR 60.46c(d)(1), NSPS Subpart Dc" or "40CFR 60.46c(d)(2), NSPS Subpart Dc" and the averaging method shall be 30 day rolling average.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.5 percent by weight
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 30-DAY ROLLING AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 3-3: Averaging period.
Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-3.1:

This Condition applies to Emission Unit: 1-BOIL1
Process: F06 Emission Source: B0009

Item 3-3.2:

Compliance with emission limits, percent reduction, and fuel oil sulfur limitations shall be based on a 30 day rolling average.

Condition 3-4: Enforceability.
Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-4.1:

This Condition applies to Emission Unit: 1-BOIL1
Process: F06 Emission Source: B0009

Item 3-4.2:

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 3-5: Compliance Demonstration
Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.43c(c), NSPS Subpart Dc

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Item 3-5.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 3-5.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the initial performance test is completed or required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, wood or oil and has a heat input capacity of 30 million BTU per hour or greater shall cause to be discharged into the atmosphere from an affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

Parameter Monitored: OPACITY

Upper Permit Limit: 20.0 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 3-6: Enforceability of particulate matter and opacity standards.

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.43c(d), NSPS Subpart Dc

Item 3-6.1:

This Condition applies to Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Item 3-6.2:



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The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

Condition 3-7: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.44c(g), NSPS Subpart Dc

Item 3-7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 3-7.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For oil fired affected facilities where the owner or operator seeks to demonstrate compliance with the fuel oil sulfur limits under 40 CFR 60.42c based on shipment fuel sampling, the initial performance test shall consist of sampling and analyzing the oil in the initial tank of oil to be fired in the steam generating unit to demonstrate that the oil contains 0.5 weight percent sulfur or less. Thereafter, the owner or operator of the affected facility shall sample the oil in the fuel tank after each new shipment of oil is received, as described under 40 CFR 60.46c(d)(2).

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Reference Test Method: METHOD 19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-8: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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Applicable Federal Requirement: 40CFR 60.45c(a), NSPS Subpart Dc

Item 3-8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Item 3-8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of an affected facility subject to the PM and/or opacity standards under 40 CFR 60.43c shall conduct an initial performance test as required under 40 CFR 60.8, and shall conduct subsequent performance tests as requested by the Administrator, to determine compliance with the standards. Method 9 (6 minute average of 24 observations) shall be used for determining the opacity of stack emissions.

The initial performance test shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after the initial startup of such facility.

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: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 3-9: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.46c(d)(2), NSPS Subpart Dc

Item 3-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Regulated Contaminant(s):

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CAS No: 007446-09-5 SULFUR DIOXIDE

Item 3-9.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

As an alternative to operating a CEMs at the inlet to the SO₂ control device (or outlet of the steam generating unit if no SO₂ control device is used) as required under paragraph §60.46c (a), an owner or operator may elect to determine the average SO₂ emission rate by sampling fuel prior to combustion.

As an alternative fuel sampling procedure for affected facilities combusting oil, oil samples may be collected from the fuel tank for each steam generating unit immediately after the fuel tank is filled and before any oil is combusted.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Reference Test Method: Method 19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 30-DAY ROLLING AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 3-10: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.47c, NSPS Subpart Dc

Item 3-10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Item 3-10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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Monitoring Description:

The owner or operator of an affected facility combusting coal, residual oil, or wood that is subject to the opacity standards under 40 CFR 60.43c shall install, calibrate, maintain, and operate a CEMS for measuring the opacity of the emissions discharged to the atmosphere and record the output of the system.

All CEMS for measuring opacity shall be operated in accordance with the applicable procedures under Performance Specification 1 (Appendix B). The span value of the opacity CEMS shall be between 60 and 80 percent.

The facility shall maintain records, including all pertinent supporting data, to demonstrate compliance. The records shall include at a minimum the results calibrations, routine maintenance activities, malfunctions, corrective actions, and the output of the system.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 3-11: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Item 3-11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7 of this part. This

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notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 3-12: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-12.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Item 3-12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits of 40 CFR 60.42c, or the PM or opacity limits of 40 CFR 60.43c, shall submit to the Administrator the performance test data from the initial and any subsequent performance tests and, if applicable, the performance evaluation of the CEMS using the applicable performance specifications in Appendix B.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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Condition 3-13: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-13.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 3-13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each coal-fired, residual oil-fired, or wood-fired affected facility subject to the opacity limits under §60.43c(c) shall submit excess emission reports, to the Administrator, semiannually. All reports shall be postmarked by the 30th day following the end of each semiannual reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 3-14: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-14.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE



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Item 3-14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 3-1: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-1.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 3-1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under 40 CFR 60.43c shall keep records and submit reports as required under 40 CFR 60.48c(d) including the following information.

(1) The calendar dates covered in the reporting period.

(2) Each thirty (30) day average SO₂ emission rate, or thirty (30) day average sulfur content (weight percent), calculated during the reporting period, ending with the last thirty (30) day period in the quarter; reasons for



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any noncompliance with the emission standards; and a description of corrective actions taken.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2005.

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

Condition 3-15: Compliance Demonstration

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Item 3-15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3-16: Duration of records maintained.

Effective between the dates of 03/11/2005 and Permit Expiration Date

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

Item 3-16.1:

This Condition applies to Emission Unit: 1-BOIL1

Process: F06

Emission Source: B0009

Item 3-16.2:

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

Condition 2-8: Applicability of General Provisions of 40 CFR 60 Subpart A



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Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 2-8.1:

This Condition applies to Emission Unit: 1-BOIL1
Process: NG1 Emission Source: B0009

Item 2-8.2:

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 2-9: Compliance Demonstration

Effective between the dates of 04/11/2003 and Permit Expiration Date

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

Item 2-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1
Process: NG1 Emission Source: B0009

Item 2-9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7 of this part. This notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel

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fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-10: Compliance Demonstration

Effective between the dates of 04/11/2003 and Permit Expiration Date

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

Item 2-10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: NG1

Emission Source: B0009

Item 2-10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-11: Duration of records maintained.

Effective between the dates of 04/11/2003 and Permit Expiration Date

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

Item 2-11.1:

This Condition applies to Emission Unit: 1-BOIL1

Process: NG1

Emission Source: B0009

Item 2-11.2:

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

Condition 28: Compliance Demonstration

Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 28.1:

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The Compliance Demonstration activity will be performed for:

Emission Unit: 2-FOOD1

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In instances where determination of permissible emission rate using process weight is not applicable, and for an environmental rating of B or C, no person will cause or allow emissions of solid particulates that exceed 0.050 grains of particulate per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

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: UPON REQUEST BY REGULATORY AGENCY

Condition 29: 212.6(a) - Opacity standard
Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 29.1:

This Condition applies to Emission Unit: 2-FOOD1

Item 29.2:

No person will 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.



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

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law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 2-12: Contaminant List

Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 2-12.1:

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

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

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

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

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

Condition 2-13: Unavoidable noncompliance and violations

Effective between the dates of 04/11/2003 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 2-13.1:

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

- (a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall



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include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

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

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

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

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

Condition 35: Emission Unit Definition

Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 35.1(From Mod 3):

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

Emission Unit: 1-BOIL1

Emission Unit Description:

This emission unit is for the natural gas fired boilers which provide process steam for the plant.

Building(s): 21

Item 35.2(From Mod 3):

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



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Permit ID: 4-2722-00012/00016

Facility DEC ID: 4272200012

Emission Unit: 2-FOOD1

Emission Unit Description:

This emission unit consists of food processing, cooking, and canning operations where VOC are emitted from the food products themselves.

Building(s): 20
21

Condition 3-17: Facility Permissible Emissions

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-17.1:

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

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

CAS No: 0NY210-00-0 (From Mod 3) PTE: 199,000 pounds per year
Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0 (From Mod 3) PTE: 99,000 pounds per year
Name: VOC

Condition 3-18: Capping Monitoring Condition

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-18.1:

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

6NYCRR 201-6.1(a)

Item 3-18.2:

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

Item 3-18.3:

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



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control requirements, regulations or law.

Item 3-18.4:

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

Item 3-18.5:

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

Item 3-18.6:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 2-FOOD1
Process: CAN

Emission Unit: 2-FOOD1
Process: KET

Emission Unit: 2-FOOD1
Process: TNR

Emission Unit: 2-FOOD1
Process: TSR

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

Item 3-18.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

VOC from food production (Emission Unit 2-FOOD1) will be restricted by limiting total operating hours for each piece of equipment to 6,730 hours each for any consecutive twelve (12) month period. Beech Nut Nutrition Corporation already records plant operating hours and reports this information to the FDA/USDA and will provide this information to the NYSDEC.



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Work Practice Type: HOURS PER YEAR OPERATION
Upper Permit Limit: 6,730 hours
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (ANNIVERSARY)
Initial Report Due: 05/20/2005 for the period 03/11/2005 through 04/20/2005

Condition 36: Air pollution prohibited
Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 36.1:

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 39: Compliance Demonstration
Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 225-1.2(a)(2)

Item 39.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any residual oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY



**** Emission Unit Level ****

Condition 40: Emission Point Definition By Emission Unit
Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 40.1(From Mod 3):

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

Emission Unit: 2-FOOD1

Emission Point: 00021
Height (ft.): 36

Diameter (in.): 42

Building: 21

Emission Point: 00022
Height (ft.): 36

Length (in.): 26

Width (in.): 18
Building: 21

Emission Point: 00023
Height (ft.): 24

Length (in.): 44

Width (in.): 42
Building: 21

Emission Point: 00024
Height (ft.): 24

Length (in.): 44

Width (in.): 41
Building: 21

Emission Point: 00025
Height (ft.): 25

Diameter (in.): 42

Building: 21

Emission Point: 00026
Height (ft.): 29

Length (in.): 39

Width (in.): 29
Building: 21

Emission Point: 00027
Height (ft.): 65

Length (in.): 54

Width (in.): 40
Building: 20

Emission Point: 00028
Height (ft.): 7

Length (in.): 36

Width (in.): 24
Building: 20

Item 40.2(From Mod 0):



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

Emission Unit: 1-BOIL1

Emission Point: 00006

Height (ft.): 120

Diameter (in.): 72

NYTMN (km.): 4750.4

NYTME (km.): 535.

Building: 21

Emission Point: 00019

Height (ft.): 84

Diameter (in.): 37

NYTMN (km.): 4750.4

NYTME (km.): 535.

Building: 21

Emission Point: 00020

Height (ft.): 40

Diameter (in.): 48

NYTMN (km.): 4750.4

NYTME (km.): 535.

Building: 21

Condition 41: Process Definition By Emission Unit

Effective between the dates of 04/21/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 41.1(From Mod 3):

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

Emission Unit: 1-BOIL1

Process: F06

Process Description:

BOILER(S) OPERATING ON NO.6 FUEL OIL TO
PROVIDE PROCESS STEAM TO PLANT.

Emission Source/Control: B0006 - Combustion

Design Capacity: 62.7 million Btu per hour

Emission Source/Control: B0007 - Combustion

Design Capacity: 46.3 million Btu per hour

Emission Source/Control: B0008 - Combustion

Design Capacity: 98 million Btu per hour

Emission Source/Control: B0009 - Combustion

Design Capacity: 99.8 million Btu per hour

Item 41.2(From Mod 3):

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

Emission Unit: 1-BOIL1

Process: NG1



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Permit ID: 4-2722-00012/00016

Facility DEC ID: 4272200012

Process Description:

BOILER(S) OPERATING ON NATURAL GAS TO
PROVIDE STEAM TO PLANT.

Emission Source/Control: B0006 - Combustion
Design Capacity: 62.7 million Btu per hour

Emission Source/Control: B0007 - Combustion
Design Capacity: 46.3 million Btu per hour

Emission Source/Control: B0008 - Combustion
Design Capacity: 98 million Btu per hour

Emission Source/Control: B0009 - Combustion
Design Capacity: 99.8 million Btu per hour

Item 41.3(From Mod 3):

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

Emission Unit: 2-FOOD1

Process: CAN

Process Description: CANNING OF FINISHED FOOD PRODUCTS.

Emission Source/Control: CANEF - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: 0CAN1 - Process

Emission Source/Control: 0CAN2 - Process

Emission Source/Control: 0CAN3 - Process

Emission Source/Control: 0CAN4 - Process

Emission Source/Control: 0CAN5 - Process

Item 41.4(From Mod 3):

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

Emission Unit: 2-FOOD1

Process: KET

Process Description:

KETTLE(S) COOK FOOD USING STEAM FROM
EMISSION UNIT 1-BOIL1 BOILERS.

Emission Source/Control: KETEF - Control



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Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: 0KET1 - Process

Emission Source/Control: 0KET2 - Process

Emission Source/Control: 0KET3 - Process

Emission Source/Control: 0KET4 - Process

Emission Source/Control: 0KET5 - Process

Emission Source/Control: 0KET6 - Process

Emission Source/Control: 0KET7 - Process

Emission Source/Control: 0KET8 - Process

Emission Source/Control: 0KET9 - Process

Emission Source/Control: KET10 - Process

Emission Source/Control: KET11 - Process

Emission Source/Control: KET12 - Process

Emission Source/Control: KET13 - Process

Emission Source/Control: KET14 - Process

Emission Source/Control: KET15 - Process

Emission Source/Control: KET16 - Process

Emission Source/Control: KET17 - Process

Item 41.5(From Mod 3):

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

Emission Unit: 2-FOOD1

Process: TNR

Process Description:

THERMINUTOR(S) (COMMINUTING HAMMERMILL)
DESIZES AND HEATS FOODS BY PHYSICAL
HAMMERING UNDER STEAM.



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Emission Source/Control: TN1EF - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: TN2EF - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: 00TN1 - Process

Emission Source/Control: 00TN2 - Process

Item 41.6(From Mod 3):

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

Emission Unit: 2-FOOD1

Process: TSR

Process Description:

THERMO SCREW(S) CONVEY FOODS AND APPLY
HEAT BY NON-CONTACT STEAM VIA A HOLLOW
FLIGHT SCREW TO A METAL MESH STRAINER.

Emission Source/Control: TS1AF - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: TS1BF - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: TS2AF - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: TS2BF - Control
Control Type: VAPOR RECOVERY SYS(INCL.
CONDENSERS,HOODING, OTHER ENCLOSURES)

Emission Source/Control: 00TS1 - Process

Emission Source/Control: 0TS2A - Process

Emission Source/Control: 0TS2B - Process

Emission Source/Control: 0TS2C - Process

Condition 3-19: Capping Monitoring Condition



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Permit ID: 4-2722-00012/00016

Facility DEC ID: 4272200012

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-19.1:

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

6NYCRR 201-6.1(a)

Item 3-19.2:

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

Item 3-19.3:

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

Item 3-19.4:

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

Item 3-19.5:

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

Item 3-19.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Regulated Contaminant(s):

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

Item 3-19.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS



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Monitoring Description:

This facility is restricted to burning 800,000 gallons (or less) of No. 6 fuel oil with a 1.5 percent (or less) sulfur content in Emission Unit 1-BOIL1 boilers during any consecutive twelve (12) month period. The facility shall maintain a log which indicates the monthly and twelve (12) month rolling quantities of fuel used. The quantities of fuel used will be documented by fuel purchase records. All of the required records shall be maintained on site for a period of five (5) years and made available to representatives of the Department upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 6 OIL

Upper Permit Limit: 800000 gallons

Monitoring Frequency: PER DELIVERY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/20/2005 for the period 03/11/2005 through 04/20/2005

Condition 3-20: Capping Monitoring Condition

Effective between the dates of 03/11/2005 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-7.2

Item 3-20.1:

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

6NYCRR 201-6.1(a)

Item 3-20.2:

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

Item 3-20.3:

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

Item 3-20.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include



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a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 3-20.5:

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

Item 3-20.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Regulated Contaminant(s):

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

Item 3-20.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This facility is restricted to burning 630,000,000 cubic feet (or less) of natural gas in Emission Unit 1-BOIL1 boilers during any consecutive twelve (12) month period. The facility shall maintain a log which indicates the monthly and twelve (12) month rolling quantities of fuel used. The quantities of fuel used will be documented by fuel purchase records. All of the required records shall be maintained on site for a period of five (5) years and made available to representatives of the Department upon request.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NATURAL GAS

Upper Permit Limit: 630000000 cubic feet

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/20/2005 for the period 03/11/2005 through 04/20/2005

Condition 2-14: Compliance Demonstration

Effective between the dates of 04/11/2003 and Permit Expiration Date

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

Item 2-14.1:

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The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1

Process: F06

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: Method 5/Method 17

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-15: Compliance Demonstration

Effective between the dates of 04/11/2003 and Permit Expiration Date

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

Item 2-15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOIL1 Emission Point: 00020

Item 2-15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall perform an analysis to determine the height of Emission Point 00020 necessary to insure that emissions from the stack do not result in an exceedance of

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national ambient air quality standards of any air pollutant at or beyond the property boundary of the facility as a result of atmospheric downwash, eddies or wakes which may be created by the facility itself, nearby structures or nearby terrain obstacles.

A written report of the results of the analysis shall be submitted to the Department within ninety (90) days of the effective date of this permit modification.

Within 180 days of the Department's approval of the written report, the facility shall complete the installation of the permanent stack for the new boiler (Emission Source B0009). The permanent stack shall be installed in accordance with the results of the above analysis.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION