



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-2726-00061/00001
Effective Date: _____ Expiration Date: _____

Permit Issued To: HERO GROUP INC
13 BRITISH AMERICAN BLVD
LATHAM, NY 12110

Contact: ROBERT A HARVEY
HERO GROUP INC
NYS RT 5S
AMSTERDAM, NY 12010
(518) 673-3251

Facility: HERO GROUP INC (BEECH-NUT) MANUFACTURING PLANT
ST RTE 5S - N SIDE - 1½ MIS W OF ST RTE 30|FLORIDA BUSINESS
PARK
FLORIDA, NY

Description:
A new 580,000 square foot infant food production facility will be constructed in the Florida Industrial Park. The facility will replace existing Beech Nut facilities in Canajoharie and Fort Plain and will also serve as Hero Group, Inc.'s Corporate Headquarters.

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: NANCY M ADAMS
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

Submission of application for permit modification or renewal-REGION 4
HEADQUARTERS





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

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 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 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

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

NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY
PERMIT**

IDENTIFICATION INFORMATION

Permit Issued To: HERO GROUP INC
13 BRITISH AMERICAN BLVD
LATHAM, NY 12110

Facility: HERO GROUP INC (BEECH-NUT) MANUFACTURING PLANT
ST RTE 5S - N SIDE - 1½ MIS W OF ST RTE 30|FLORIDA BUSINESS
PARK
FLORIDA, NY

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

Permit Effective Date:

Permit Expiration Date:



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

Facility Level

Submission of application for permit modification or renewal-REGION 4
HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 201-7.2: Facility Permissible Emissions
- *2 6NYCRR 201-7.2: Capping Monitoring Condition
- *3 6NYCRR 201-7.2: Capping Monitoring Condition
- *4 6NYCRR 201-7.2: Capping Monitoring Condition
- *5 6NYCRR 201-7.2: Capping Monitoring Condition
- 6 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 7 6NYCRR 225-1.6(b): Compliance.
- 8 6NYCRR 225-1.8(a): Compliance Demonstration
- 9 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples

Emission Unit Level

EU=1-STEAM

- 10 6NYCRR 227-1.3(a): Compliance Demonstration
- 11 6NYCRR 227-1.6: Corrective Action
- 12 6NYCRR 227-1.7: General Provisions
- 13 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 14 40CFR 60.7(a), NSPS Subpart A: Date of construction notification -
If a COM is not used.
- 15 40CFR 60.7(a), NSPS Subpart A: Modification Notification
- 16 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 17 40CFR 60.7(c), NSPS Subpart A: Compliance Demonstration
- 18 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
- 19 40CFR 60.7(e), NSPS Subpart A: Monitoring frequency waiver.
- 20 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 21 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or
Local Agency
- 22 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 23 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver EU
Level
- 24 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 25 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 26 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 27 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 28 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 29 40CFR 60.9, NSPS Subpart A: Availability of information.
- 30 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 31 40CFR 60.12, NSPS Subpart A: Circumvention.



- 32 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 33 40CFR 60.14, NSPS Subpart A: Modifications.
- 34 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 35 40CFR 60.47c(c), NSPS Subpart Dc: Emissions monitoring
- 36 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 37 40CFR 60.48c(g)(2), NSPS Subpart Dc: Compliance Demonstration
- 38 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Demonstration
- 39 40CFR 60.48c(j), NSPS Subpart Dc: Reporting period

EU=1-STEAM,Proc=GAS

- 56 40CFR 60.48c(f)(4), NSPS Subpart Dc: Fuel supplier certification

EU=1-STEAM,Proc=OIL

- 40 6NYCRR 227-1.3(a): Compliance Demonstration
- 41 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration
- 42 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 43 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 44 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration
- 45 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.
- 46 40CFR 60.43c(e)(4), NSPS Subpart Dc: PM limit for facilities that burn only oil with less than 0.5% sulfur
- 47 40CFR 60.44c(h), NSPS Subpart Dc: Compliance Demonstration
- 48 40CFR 60.45c(a), NSPS Subpart Dc: Compliance Demonstration
- 49 40CFR 60.45c(d), NSPS Subpart Dc: Compliance and performance test methods and procedures for particulate matter.
- 50 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.
- 51 40CFR 60.48c(b), NSPS Subpart Dc: Compliance Demonstration
- 52 40CFR 60.48c(c), NSPS Subpart Dc: Compliance Demonstration
- 53 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 54 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 55 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration

EU=2-FOODS

- 57 6NYCRR 212.4(a): Emissions from new emission sources and/or modifications
- 58 6NYCRR 212.6(a): Compliance Demonstration
- 59 6NYCRR 212.6(a): Compliance Demonstration

EU=3-GRAIN

- 60 6NYCRR 212.4(a): Emissions from new emission sources and/or modifications
- 61 6NYCRR 212.4(c): Compliance Demonstration
- 62 6NYCRR 212.6(a): Compliance Demonstration
- 63 6NYCRR 212.6(a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 64 ECL 19-0301: Contaminant List
- 65 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 66 6NYCRR 201-5: Emission Unit Definition
- 67 6NYCRR 211.2: Air pollution prohibited



Emission Unit Level

68 6NYCRR 201-5: Emission Point Definition By Emission Unit

69 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 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 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 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 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 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



emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 2.5:

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

Item 2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility is capping out of Title V requirements with a carbon monoxide (CO) emission limit of 95 tons (190,000 pounds) per year on a twelve (12) month rolling total basis. The facility shall maintain, at a minimum, fuel usage records on a monthly and twelve (12) month rolling total basis, carbon monoxide emission records on a monthly and twelve (12) month rolling total basis, and all calculations used to determine the monthly and twelve (12) month rolling total emissions.

The carbon monoxide (CO) emissions shall be calculated using the equation listed below.

$$E = (A \times U) + (B \times V) + (C \times W), \text{ where}$$

A = Total amount of natural gas burned (million scf)

B = Total amount of #2 fuel oil burned (thousand gallons)

C = Total amount of diesel burned (gallons)

E = Total monthly CO emissions in pounds

U = Pounds of CO per million standard cubic feet of natural gas as stated in the most recent AP-42

V = Pounds of CO per thousand gallons of #2 fuel oil as stated in the most recent AP-42

W = Pounds of CO per gallon of diesel based on the most recent AP-42



Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 190,000 pounds
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

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

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 3.1:

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

6NYCRR 201-6

Item 3.2:

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

Item 3.3:

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

Item 3.4:

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

Item 3.5:

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

Item 3.6:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 3.7:



Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility is capping out of Title V requirements with a volatile organic compound (VOC) emission limit of 47.5 tons (95,000 pounds) per year on a twelve (12) month rolling total basis. The VOC emissions will be tracked on a monthly and twelve (12) month rolling total basis, using production data, fuel usage data, published emission factors, and emissions test data as applicable to calculate actual emissions.

Parameter Monitored: VOC

Upper Permit Limit: 95,000 pounds

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 4: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 4.1:

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

Item 4.2:

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

Item 4.3:

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 4.4:

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 4.5:

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 4.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 4.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility is capping out of Title V requirements with an oxides of nitrogen (NO_x) emission limit of 95 tons (190,000 pounds) per year on a twelve (12) month rolling total basis. The facility shall maintain, at a minimum, fuel usage records on a monthly and twelve (12) month rolling total basis, oxides of nitrogen emission records on a monthly and twelve (12) month rolling total basis, and all calculations used to determine the monthly and twelve (12) month rolling total emissions.

The oxides of nitrogen (NO_x) emissions shall be calculated using the equation listed below.

$$F = (A \times X) + (B \times Y) + (C \times Z), \text{ where}$$

A = Total amount of natural gas burned (million scf)

B = Total amount of #2 fuel oil burned (thousand gallons)

C = Total amount of diesel burned (gallons)

F = Total monthly NO_x emissions in pounds

X = Pounds of NO_x per million standard cubic feet of natural gas as stated in the most recent AP-42

Y = Pounds of NO_x per thousand gallons of #2 fuel oil as stated in the most recent AP-42

Z = Pounds of NO_x per gallon of diesel based on the most recent AP-42

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 190,000 pounds

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)



Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

**Condition 5: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 5.1:

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

Item 5.2:

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

Item 5.3:

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 5.4:

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 5.5:

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 5.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 5.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:



The facility is capping out of Title V requirements with a sulfur dioxide (SO₂) emission limit of 95 tons (190,000 pounds) per year on a twelve (12) month rolling total basis. The facility shall maintain, at a minimum, fuel usage records on a monthly and twelve (12) month rolling total basis, sulfur dioxide emission records on a monthly and twelve (12) month rolling total basis, and all calculations used to determine the monthly and twelve (12) month rolling total emissions.

The sulfur dioxide (SO₂) emissions shall be calculated using the equation listed below.

$$D = (A \times R) + (B \times S) + (C \times T), \text{ where}$$

A = Total amount of natural gas burned (million scf)

B = Total amount of #2 fuel oil (0.50 percent sulfur content) burned (thousand gallons)

C = Total amount of diesel (1.50 percent sulfur content) burned (gallons)

D = Total monthly SO₂ emissions in pounds

R = Pounds of SO₂ per million standard cubic feet of natural gas as stated in the most recent AP-42

S = Pounds of SO₂ per thousand gallons of #2 fuel oil as stated in the most recent AP-42

T = Pounds of SO₂ per gallon of diesel based on the most recent AP-42

Parameter Monitored: SULFUR DIOXIDE

Upper Permit Limit: 190,000 pounds

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 6: Compliance Demonstration
Effective for entire length of Permit**

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

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater



than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.5 percent
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

Condition 7: Compliance.
Effective for entire length of Permit

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

Item 7.1:

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 8: Compliance Demonstration
Effective for entire length of Permit

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

Item 8.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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 9: Sampling, compositing, and analysis of fuel samples
Effective for entire length of Permit

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



Item 9.1:

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

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

**Condition 10: Compliance Demonstration
Effective for entire length of Permit**

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

Item 10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM

Item 10.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall 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.

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 11: Corrective Action
Effective for entire length of Permit**

Applicable Federal Requirement:6NYCRR 227-1.6

Item 11.1:

This Condition applies to Emission Unit: 1-STEAM

Item 11.2:

(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.

Condition 12: General Provisions
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 227-1.7

Item 12.1:

This Condition applies to Emission Unit: 1-STEAM

Item 12.2:

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

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

Condition 13: EPA Region 2 address.
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 13.1:

This Condition applies to Emission Unit: 1-STEAM

Item 13.2:

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

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2



290 Broadway, 21st Floor
New York, NY 10007-1886

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

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

**Condition 14: Date of construction notification - If a COM is not used.
Effective for entire length of Permit**

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

Item 14.1:

This Condition applies to Emission Unit: 1-STEAM

Item 14.2:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 15: Modification Notification
Effective for entire length of Permit**

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



Item 15.1:

This Condition applies to Emission Unit: 1-STEAM

Item 15.2:

Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

**Condition 16: Recordkeeping requirements.
Effective for entire length of Permit**

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

Item 16.1:

This Condition applies to Emission Unit: 1-STEAM

Item 16.2:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

**Condition 17: Compliance Demonstration
Effective for entire length of Permit**

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

Item 17.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report semi-annually based on the calendar year (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be postmarked no later than 30 calendar days following the end of the reporting period, and shall



contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 18: Excess Emissions Report
Effective for entire length of Permit

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

Item 18.1:
This Condition applies to Emission Unit: 1-STEAM

Item 18.2:
A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 19: Monitoring frequency waiver.
Effective for entire length of Permit

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

Item 19.1:
This Condition applies to Emission Unit: 1-STEAM

Item 19.2: Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the conditions in 40 CFR 60.7(e) are met.



**Condition 20: Facility files for subject sources.
Effective for entire length of Permit**

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

Item 20.1:

This Condition applies to Emission Unit: 1-STEAM

Item 20.2:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

**Condition 21: Notification Similar to State or Local Agency
Effective for entire length of Permit**

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

Item 21.1:

This Condition applies to Emission Unit: 1-STEAM

Item 21.2:

If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

**Condition 22: Performance testing timeline.
Effective for entire length of Permit**

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

Item 22.1:

This Condition applies to Emission Unit: 1-STEAM

Item 22.2:

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

**Condition 23: Performance Test Methods - Waiver EU Level
Effective for entire length of Permit**

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

Item 23.1:

This Condition applies to Emission Unit: 1-STEAM



Item 23.2:

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

**Condition 24: Performance test methods.
Effective for entire length of Permit**

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

Item 24.1:

This Condition applies to Emission Unit: 1-STEAM

Item 24.2:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

**Condition 25: Required performance test information.
Effective for entire length of Permit**

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

Item 25.1:

This Condition applies to Emission Unit: 1-STEAM

Item 25.2:

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operate of the facility.

**Condition 26: Prior notice.
Effective for entire length of Permit**

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

Item 26.1:

This Condition applies to Emission Unit: 1-STEAM

Item 26.2:

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

Condition 27: Performance testing facilities.



Effective for entire length of Permit

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

Item 27.1:

This Condition applies to Emission Unit: 1-STEAM

Item 27.2:

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 28: Number of required tests.
Effective for entire length of Permit**

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

Item 28.1:

This Condition applies to Emission Unit: 1-STEAM

Item 28.2:

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

**Condition 29: Availability of information.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 29.1:

This Condition applies to Emission Unit: 1-STEAM

Item 29.2:

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

**Condition 30: Opacity standard compliance testing.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 30.1:

This Condition applies to Emission Unit: 1-STEAM



Item 30.2:

The following conditions shall be used to determine compliance with the opacity standards:

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

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

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

**Condition 31: Circumvention.
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 31.1:

This Condition applies to Emission Unit: 1-STEAM

Item 31.2:

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

**Condition 32: Monitoring requirements.
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A

Item 32.1:

This Condition applies to Emission Unit: 1-STEAM

Item 32.2:

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

**Condition 33: Modifications.
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 33.1:

This Condition applies to Emission Unit: 1-STEAM



Item 33.2:

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

**Condition 34: Reconstruction.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 34.1:

This Condition applies to Emission Unit: 1-STEAM

Item 34.2:

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

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

**Condition 35: Emissions monitoring
Effective for entire length of Permit**

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

Item 35.1:

This Condition applies to Emission Unit: 1-STEAM

Item 35.2: Affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.06 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO₂ or PM emissions are not required to operate a CEMS for measuring opacity if they follow the applicable procedures under 40 CFR 60.48c(f).

Condition 36: Compliance Demonstration



Effective for entire length of Permit

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

Item 36.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM

Item 36.2:

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 fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 37: Compliance Demonstration
Effective for entire length of Permit**

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

Item 37.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM

Item 37.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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 §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.

Monitoring Frequency: MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 38: Compliance Demonstration
Effective for entire length of Permit

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

Item 38.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM

Item 38.2:

Compliance Demonstration 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.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 39: Reporting period
Effective for entire length of Permit

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

Item 39.1:

This Condition applies to Emission Unit: 1-STEAM

Item 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

Condition 56: Fuel supplier certification
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.48c(f)(4), NSPS Subpart Dc

Item 56.1:

This Condition applies to Emission Unit: 1-STEAM
Process: GAS



Item 56.2:

Fuel supplier certification shall include the following information:

- (i) The name of the supplier of the fuel;
- (ii) The potential sulfur emissions rate of the fuel in ng/J heat input; and
- (iii) The method used to determine the potential sulfur emissions rate of the fuel.

**Condition 40: Compliance Demonstration
Effective for entire length of Permit**

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

Item 40.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM
Process: OIL

Item 40.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall 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?

Inclement 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.

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

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 41: Compliance Demonstration
Effective for entire length of Permit

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

Dc

Item 41.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM

Process: OIL



Item 41.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.50 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.

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

**Condition 42: Exemption from the averaging period.
Effective for entire length of Permit**

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

Dc

Item 42.1:

This Condition applies to Emission Unit: 1-STEAM
Process: OIL

Item 42.2:

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 43: Enforceability.
Effective for entire length of Permit**

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

Item 43.1:

This Condition applies to Emission Unit: 1-STEAM
Process: OIL

Item 43.2:

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 44: Compliance Demonstration
Effective for entire length of Permit

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

Item 44.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM
Process: OIL

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

Item 44.2:

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.

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: UPON REQUEST BY REGULATORY AGENCY

Condition 45: Enforceability of particulate matter and opacity standards.
Effective for entire length of Permit

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

Item 45.1:

This Condition applies to Emission Unit: 1-STEAM
Process: OIL



Item 45.2:

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 46: PM limit for facilities that burn only oil with less than 0.5% sulfur
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.43c(e)(4), NSPS Subpart Dc

Item 46.1:

This Condition applies to Emission Unit: 1-STEAM
Process: OIL

Item 46.2: On and after the date on which the initial performance test is completed or is required to be completed under 40 CFR 60.8, whichever date comes first, an owner or operator of an affected facility that commences construction, reconstruction, or modification after February 28, 2005, and that combusts only oil that contains no more than 0.50 weight percent sulfur or a mixture of 0.50 weight percent sulfur oil with other fuels not subject to a PM standard under 40 CFR 60.43c and not using a post-combustion technology (except a wet scrubber) to reduce PM or SO₂ emissions is not subject to the PM limit in 40 CFR 60 Subpart Dc 60.43c(e).

**Condition 47: Compliance Demonstration
Effective for entire length of Permit**

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

Item 47.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM
Process: OIL

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

Item 47.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For affected facilities subject to 40 CFR 60.42c(h)(1), (2), or (3) where the owner and/or operator seeks to demonstrate compliance with the sulfur dioxide standards



based on fuel supplier certification, the performance test shall consist of the certification. The facility shall submit the certification in accordance with the provisions of 40 CFR 60.48c(f)(1), (2), and (3), as applicable.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: SINGLE OCCURRENCE

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 48: Compliance Demonstration
Effective for entire length of Permit**

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

Item 48.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM

Process: OIL

Item 48.2:

Compliance Demonstration shall include the following monitoring:

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

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 49: Compliance and performance test methods and procedures for particulate matter.



Effective for entire length of Permit

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

Item 49.1:

This Condition applies to Emission Unit: 1-STEAM
Process: OIL

Item 49.2: The owner or operator of an affected facility seeking to demonstrate compliance under 40 CFR 60.43c(e)(4) shall follow the applicable procedures under 40 CFR 60.48c(f). For residual oil-fired affected facilities, fuel supplier certifications are only allowed for facilities with heat input capacities between 2.9 and 8.7 MW (10 to 30 MMBtu/hr).

**Condition 50: Exemption from sulfur dioxide monitoring requirements.
Effective for entire length of Permit**

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

Item 50.1:

This Condition applies to Emission Unit: 1-STEAM
Process: OIL

Item 50.2:

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 51: Compliance Demonstration
Effective for entire length of Permit**

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

Item 51.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM
Process: OIL

Item 51.2:

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

**Condition 52: Compliance Demonstration
Effective for entire length of Permit**

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

Item 52.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM
Process: OIL

Item 52.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each coal-fired, oil-fired, or wood-fired affected facility subject to the opacity limits under 40 CFR 60.43c(c) shall submit excess emission reports for any excess emissions from the affected facility that occur during the reporting period.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 53: Compliance Demonstration
Effective for entire length of Permit**

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

Item 53.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM
Process: OIL

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

Item 53.2:

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

Condition 54: Compliance Demonstration
Effective for entire length of Permit

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

Item 54.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-STEAM
Process: OIL

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

Item 54.2:

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

Condition 55: Compliance Demonstration
Effective for entire length of Permit

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

Item 55.1:

The Compliance Demonstration activity will be performed for:



Emission Unit: 1-STEAM

Process: OIL

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 55.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 57: Emissions from new emission sources and/or modifications Effective for entire length of Permit

Applicable Federal Requirement:6NYCRR 212.4(a)

Item 57.1:

This Condition applies to Emission Unit: 2-FOODS

Item 57.2:

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 58: Compliance Demonstration Effective for entire length of Permit

Applicable Federal Requirement:6NYCRR 212.6(a)

Item 58.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-FOODS



Item 58.2:

Compliance Demonstration 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: UPON REQUEST BY REGULATORY AGENCY

**Condition 59: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement:6NYCRR 212.6(a)

Item 59.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-FOODS

Item 59.2:

Compliance Demonstration 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 check (determining the presence or absence of visible emissions greater than the limit specified) of all emission points and/or emission sources for this emission unit 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 emission checks are to be maintained in a bound log book or other format acceptable to the Department, including corrective actions taken and



explanations for days when weather conditions are prohibitive, on site for a period of five years. The daily records shall indicate the date, time, weather conditions, observer's name, and the results of the observations.

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 60: Emissions from new emission sources and/or modifications
Effective for entire length of Permit**

Applicable Federal Requirement:6NYCRR 212.4(a)

Item 60.1:

This Condition applies to Emission Unit: 3-GRAIN

Item 60.2:

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 61: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement:6NYCRR 212.4(c)

Item 61.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GRAIN

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 61.2:

Compliance Demonstration 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 at the discretion 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: UPON REQUEST BY REGULATORY AGENCY

Condition 62: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 62.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GRAIN

Item 62.2:

Compliance Demonstration 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 check (determining the presence or absence of visible emissions greater than the limit specified) of all emission points and/or emission sources for this emission unit 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 emission checks are to be maintained in a bound log book or other format acceptable to the Department, including corrective actions taken and explanations for days when weather conditions are prohibitive, on site for a period of five years. The daily records shall indicate the date, time, weather conditions, observer's name, and the results of the observations.

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 63: Compliance Demonstration



Effective for entire length of Permit

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 63.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-GRAIN

Item 63.2:

Compliance Demonstration 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: UPON REQUEST BY REGULATORY AGENCY



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 64: Contaminant List
Effective for entire length of Permit

Applicable State Requirement:ECL 19-0301

Item 64.1:

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

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

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

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

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

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

Condition 65: Unavoidable noncompliance and violations
Effective for entire length of Permit

Applicable State Requirement:6NYCRR 201-1.4

Item 65.1:

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

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

(b) In the event that emissions of air contaminants in excess of any emission standard



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

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

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

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

**Condition 66: Emission Unit Definition
Effective for entire length of Permit**

Applicable State Requirement:6NYCRR 201-5

Item 66.1:

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

Emission Unit: 1-STEAM

Emission Unit Description:

Three 80 million Btu/hr boilers, and one 99.7 million Btu/hr boiler will provide steam to the facility for heating, processing and canning. All of the boilers will be capable of firing both natural gas and No. 2 fuel oil and will be subject to NSPS Subpart Dc. Each boiler will vent to an individual stack.

Building(s): MAIN

Item 66.2:

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

Emission Unit: 2-FOODS

Emission Unit Description:

Raw fruits and vegetables are processed into infant food using a variety of equipment including ingredient



tanks/kettles, ribbon blender cookers, therminutors, a blancher (thermoscrew) and fill lines. VOC may be emitted from the food products during processing.

Building(s): MAIN

Item 66.3:

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

Emission Unit: 3-GRAIN

Emission Unit Description:

Infant cereal production: Grain flours from four exempt storage silos (silos vent through control devices) are pneumatically conveyed to two eductors equipped with filters. Filtered air from the eductors is emitted to atmosphere. Processed material from the eductors is cooked and then conveyed to drum dryers (only steam is emitted from the dryers). The dried material is then broken into flakes. Air containing fines from cereal flake production is passed through one of four dust collectors.

Building(s): MAIN

**Condition 67: Air pollution prohibited
Effective for entire length of Permit**

Applicable State Requirement:6NYCRR 211.2

Item 67.1:

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

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

**Condition 68: Emission Point Definition By Emission Unit
Effective for entire length of Permit**

Applicable State Requirement:6NYCRR 201-5

Item 68.1:

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

Emission Unit: 1-STEAM

Emission Point: 00001



Height (ft.): 70	Diameter (in.): 40
Emission Point: 00002 Height (ft.): 70	Diameter (in.): 40
Emission Point: 00003 Height (ft.): 70	Diameter (in.): 40
Emission Point: 00004 Height (ft.): 70	Diameter (in.): 48

Item 68.2:

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

Emission Unit: 2-FOODS		
Emission Point: 00005 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00006 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00007 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00008 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00009 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00010 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00011 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00012 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00013 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00014		



Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00015 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00016 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00017 Height (ft.): 34	Diameter (in.): 42	Building: MAIN

Item 68.3:

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

Emission Unit: 3-GRAIN

Emission Point: 00018 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00019 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00020 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00021 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00022 Height (ft.): 34	Diameter (in.): 42	Building: MAIN
Emission Point: 00023 Height (ft.): 34	Diameter (in.): 42	Building: MAIN

**Condition 69: Process Definition By Emission Unit
Effective for entire length of Permit**

Applicable State Requirement: 6NYCRR 201-5

Item 69.1:

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

Emission Unit: 1-STEAM



Process: GAS Source Classification Code: 1-02-006-02

Process Description:

The three 80 million Btu/hr powerhouse boilers, and the 99.7 million Btu/hr boiler burn natural gas as a primary fuel.

Emission Source/Control: 00B01 - Combustion
Design Capacity: 80 million Btu per hour

Emission Source/Control: 00B02 - Combustion
Design Capacity: 80 million Btu per hour

Emission Source/Control: 00B03 - Combustion
Design Capacity: 80 million Btu per hour

Emission Source/Control: 00B04 - Combustion
Design Capacity: 99.7 million Btu per hour

Item 69.2:

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

Emission Unit: 1-STEAM

Process: OIL

Source Classification Code: 1-02-005-01

Process Description:

The three 80 million Btu/hr boilers and the 99.7 million Btu/hr boiler burn No. 2 fuel oil as a backup to natural gas. Use of No. 2 fuel oil as a backup is anticipated to occur approximately 4-5 times per year for 2 days per time.

Emission Source/Control: 00B01 - Combustion
Design Capacity: 80 million Btu per hour

Emission Source/Control: 00B02 - Combustion
Design Capacity: 80 million Btu per hour

Emission Source/Control: 00B03 - Combustion
Design Capacity: 80 million Btu per hour

Emission Source/Control: 00B04 - Combustion
Design Capacity: 99.7 million Btu per hour

Item 69.3:

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

Emission Unit: 2-FOODS

Process: BLN

Process Description:

One blancher is used to process fruits and vegetables.

Emission Source/Control: BLAN1 - Process

Item 69.4:



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

Emission Unit: 2-FOODS
Process: CAN
Process Description:
Six fill lines are used to can finished food products.

Emission Source/Control: FILL1 - Process

Emission Source/Control: FILL2 - Process

Emission Source/Control: FILL3 - Process

Emission Source/Control: FILL4 - Process

Emission Source/Control: FILL5 - Process

Emission Source/Control: FILL6 - Process

Item 69.5:

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

Emission Unit: 2-FOODS
Process: KET
Process Description:
Seventeen ingredient tanks/kettles cook fruits and vegetables using steam and are connected to vapor recovery systems including hooding and condensers. The ingredient tanks/kettles vent through four stacks.

Emission Source/Control: KET01 - Process

Emission Source/Control: KET02 - Process

Emission Source/Control: KET03 - Process

Emission Source/Control: KET04 - Process

Emission Source/Control: KET05 - Process

Emission Source/Control: KET06 - Process

Emission Source/Control: KET07 - Process

Emission Source/Control: KET08 - Process

Emission Source/Control: KET09 - 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 69.6:

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

Emission Unit: 2-FOODS

Process: RBC

Process Description:

Four ribbon blender cookers are used to cook fruits and vegetables. there is a hood over each ribbon blender cooker. The hoods are connected to a single stack that vents to the atmosphere.

Emission Source/Control: COOK1 - Process

Emission Source/Control: COOK2 - Process

Emission Source/Control: COOK3 - Process

Emission Source/Control: COOK4 - Process

Item 69.7:

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

Emission Unit: 2-FOODS

Process: THR

Process Description:

Four therminutors (comminuting hammermill) desize and heat food by physical hammering under steam.

Emission Source/Control: THER1 - Process

Emission Source/Control: THER2 - Process

Emission Source/Control: THER3 - Process

Emission Source/Control: THER4 - Process

Item 69.8:

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

Emission Unit: 3-GRAIN

Process: ONE

Process Description:



Air from pneumatic conveyance of flour is emitted through a filter.

Emission Source/Control: EDUC1 - Process

Emission Source/Control: EDUC2 - Process

Item 69.9:

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

Emission Unit: 3-GRAIN

Process: TWO

Process Description:

Air containing fines from cereal flake production is passed through one of four dust collectors.

Emission Source/Control: DUST1 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DUST2 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DUST3 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DUST4 - Control

Control Type: FABRIC FILTER

Emission Source/Control: LINE1 - Process

Emission Source/Control: LINE2 - Process

