

New York State Department of Environmental Conservation
Facility DEC ID: 5533000038



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 5-5330-00038/00021
Mod 0 Effective Date: 08/24/2000 Expiration Date: No expiration date.
Mod 1 Effective Date: 03/06/2003 Expiration Date: No expiration date.
Mod 2 Effective Date: 08/01/2003 Expiration Date: No expiration date.
Mod 3 Effective Date: 06/14/2004 Expiration Date: No expiration date.
Mod 4 Effective Date: 10/01/2006 Expiration Date: No expiration date.

Permit Issued To: ENVIRONMENTAL SOIL MANAGEMENT OF NY LLC
304 TOWPATH RD
FORT EDWARD, NY 12828-1754

Contact: PETER HANSEN
ESMI OF NEW YORK
304 TOWPATH ROAD
FORT EDWARD, NY 12828
(518) 747-5500

Facility: ENVIRONMENTAL SOIL MANAGEMENT OF N Y
304 TOWPATH RD
FORT EDWARD, NY 12828

Description:
ENVIRONMENTAL SOIL MANAGEMENT OF NEW YORK, L.L.C. (ESMI of New York) owns and operates a Thermal Treatment Facility for the recycling of petroleum and non-petroleum hydrocarbon contaminated soils and media. Contaminants are removed and treated by thermal desorption, a technology that destroys hydrocarbons. This process entails heating contaminated material in a rotary kiln at temperatures between 350 and 1,000 deg F. The contaminants are volatilized and driven from the material. They are subsequently destroyed in an oxidizer, resulting in better than 99% destruction removal efficiency. After exiting the oxidizer, the air stream is cooled and then passed through a baghouse to remove fine particles. Through post-treatment analysis, the facility is able to provide documentation to the clients that their material has been treated to specific cleanup levels. Recycled material can be returned to the client or reused in accordance with beneficial reuse determinations.

The facility emissions are limited to 99 tons per year (TPY) Sulfur Dioxide and 9.98 TPY Hydrogen Chloride in order to avoid being subject to Title V permitting requirements. All other contaminants emitted at this facility have potentials to emit less than the Title V threshold values. All fuel oil burned at

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the facility is subject to a maximum of 0.5%(wt) sulfur in order to comply with the 99TPY emissions limit.

Emission Unit ID #U-00002 - Material Storage & Handling

Once materials are received, they are stored in an environmentally secure 18,000 sq. ft. building. The building construction includes a sealed and reinforced concrete floor with a 40-mil HDPE liner as secondary containment. Other environmental controls include groundwater impact monitoring system and the building ventilation system. Vented air is filtered with emission control equipment to remove particulates and then polished with activated carbon to remove volatiles organic compounds (VOCs). Emissions are subject to 6 NYCRR Part 212 requirements for opacity, grain loading and degree of control for VOCs.

Because each load of soil has different characteristics, material preparation plays a vital role in system performance. Raw materials commonly encountered may contain high percentages of moisture, clay, debris, and/or contaminants. Debris such as large rocks, wood debris, metal and miscellaneous solid wastes are removed from the soil. In order to achieve uniform soil feed and efficient operation, differing materials (jobs) may be blended together prior to treatment. Materials that meet the following definitions can be treated and recycled at the facility providing they are not a State or Federal hazardous wastes.

"Media" can include natural soils, clay sorbent materials and sand filtration media.

"Contaminants" include but are not limited to petroleum hydrocarbons such as fuels and lubricating oils and non-petroleum hydrocarbons such as coal tar and MGP waste.

Material Preparation

Materials are received, stored in segregated concrete bins and treated according to waste type. Differing materials within specific waste categories may be blended together to achieve a consistent homogeneous mixture. Some materials with excessive moisture may be blended with lime to reduce moisture content. Blended materials are then sent through a preprocessing phase to remove boulders greater than 9 in., metal objects and combustible materials such as plastic and wood. Remaining material is sent through a jaw crusher to reduce the size of materials to 3 in. or less. The result is a uniform, consistent feedstock ready for the thermal treatment process.

Emission Unit ID #U-00001 - Overall Treatment System Description includes a stationary and a mobile soil remediation unit.

As a whole, the thermal treatment system consists of several components; the preprocessing equipment, the soil feed units, the primary treatment units, the processed soil handling unit, the multiple cyclone dust separators (not required and normally bypassed), the secondary (vapor) treatment units, the evaporative cooling chambers, the baghouses/dust filtration units, and the control house. ESMI of New York's high capacity thermal desorption plant is permitted to treat up to 810 pounds of contaminant per hour per rotary kiln. The high temperature dryers can maintain soil treatment temperatures of 350 to 1000F, with up to 15 minutes of retention time. The thermal oxidizer has a destruction efficiency of >99%

Emissions are subject to: 6 NYCRR Part 212 requirements for opacity, grain loading and degree of

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control for VOCs.

Fuels burned are subject to: 6NYCRR Part 225 requirements for combustion efficiency and waste fuel specifications of 225-2.4(b) Table 2-1.

Treated soils, fed to the PTU must meet 1.5% sulfur limitations and 36.9 lb/hr (chlorine) limitations in order to comply with 6 NYCRR Parts 225-1 and 212.9 respectively.

The thermal incinerator operating temperature must maintain a minimum of:

1590 degrees Fahrenheit when processing soils, other than coal tar contaminated soils, and

1710 degrees Fahrenheit when processing coal tar contaminated soils in order to assure the same degree of control demonstrated during the stack test.

The baghouse pressure differential must be maintained at a minimum of 4.0 inches of water during processing in order to assure the same degree of particulate control as demonstrated during the stack testing.

Process 001 - This is a stationary soil remediation unit.

Process 003 - This is a mobile soil remediation unit of similar design and capacity as Process 001

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: WALTER L HAYNES
 DIVISION OF ENVIRONMENTAL PERMITS
 232 GOLF COURSE RD PO BOX 220
 WARRENSBURG, NY 12885-0220

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 5
SUBOFFICE



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 1-1: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 1-1.1:

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

Item 1-1.2:

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

Item 1-1.3:

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

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transfer of ownership.

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

Expired by Mod No: 1

Item 3.1:

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

Item 3.2:

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

Condition 1-2: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 1-2.1:

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.

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

Expired by Mod No: 2

Item 4.1:

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

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



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

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

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 5 Sub-office
Division of Environmental Permits
232 Hudson St, PO Box 220
Warrensburg, NY 12885-0220
(518) 623-1281

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ENVIRONMENTAL SOIL MANAGEMENT OF NY LLC
304 TOWPATH RD
FORT EDWARD, NY 12828-1754

Facility: ENVIRONMENTAL SOIL MANAGEMENT OF N Y
304 TOWPATH RD
FORT EDWARD, NY 12828

Authorized Activity By Standard Industrial Classification Code:
4953 - REFUSE SYSTEMS

Mod 0 Permit Effective Date: 08/24/2000

Permit Expiration Date: No expiration date.

Mod 1 Permit Effective Date: 03/06/2003

Permit Expiration Date: No expiration date.

Mod 2 Permit Effective Date: 08/01/2003

Permit Expiration Date: No expiration date.

Mod 3 Permit Effective Date: 06/14/2004

Permit Expiration Date: No expiration date.

Mod 4 Permit Effective Date: 10/01/2006

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 4-1 6NYCRR 201-7.2: Facility Permissible Emissions
- *4-2 6NYCRR 201-7.2: Capping Monitoring Condition
- *4-3 6NYCRR 201-7.2: Capping Monitoring Condition
- *4-4 6NYCRR 201-7.2: Capping Monitoring Condition
- *4-5 6NYCRR 201-7.2: Capping Monitoring Condition
- 4-6 6NYCRR 212.4(c): Compliance Demonstration
- 4-7 6NYCRR 212.6(a): Compliance Demonstration
- 4-8 6NYCRR 212.9: Compliance Demonstration
- 4-9 6NYCRR 212.9: Compliance Demonstration
- 4-10 6NYCRR 212.9: Compliance Demonstration
- 4-11 6NYCRR 212.9: Compliance Demonstration
- 4-12 6NYCRR 212.9: Compliance Demonstration
- 4-13 6NYCRR 212.9: Compliance Demonstration
- 4-14 6NYCRR 225-1.2(d): Compliance Demonstration
- 4-15 6NYCRR 225-2.3(b)(1)(ii): Compliance Demonstration
- 4-16 6NYCRR 225-2.4(b): Compliance Demonstration
- 4-17 6NYCRR 225-2.4(b): Compliance Demonstration
- 4-18 6NYCRR 225-2.4(b): Compliance Demonstration
- 4-19 6NYCRR 225-2.4(b): Compliance Demonstration

Emission Unit Level

EU=U-00001

- 4-20 6NYCRR 212.9: Compliance Demonstration

EU=U-00002

- 34 6NYCRR 212.9: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 1-7 ECL 19-0301: Contaminant List
- 1-8 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 38 6NYCRR 201-5: Emission Unit Definition
- 40 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 41 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 42 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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: Permit Exclusion - ECL 19-0305

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

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

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

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

FEDERAL APPLICABLE REQUIREMENTS

The following conditions are federally enforceable.

Condition 4-1: Facility Permissible Emissions

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 4-1.1:

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

CAS No: 007446-09-5 (From Mod 4) PTE: 198,000 pounds per year
Name: SULFUR DIOXIDE

CAS No: 007647-01-0 (From Mod 4) PTE: 19,960 pounds per year
Name: HYDROGEN CHLORIDE

Condition 4-2: Capping Monitoring Condition

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2



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Item 4-2.1:

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

6NYCRR 201-6.1(a)

Item 4-2.2:

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

Item 4-2.3:

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

Item 4-2.4:

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

Item 4-2.5:

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 4-2.6:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007647-01-0 HYDROGEN CHLORIDE

Item 4-2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Actual chlorinated compound concentrations in feed soils are used to calculate emissions. All chlorine is assumed

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to convert to HCl.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: SOIL

Parameter Monitored: CHLORINE

Upper Permit Limit: 9.70 tons per year

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL
CHANGE

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 09/22/2007 for the period 10/01/2006 through 08/23/2007

Condition 4-3: Capping Monitoring Condition

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 4-3.1:

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 201-6.1(a)

Item 4-3.2:

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

Item 4-3.3:

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 4-3.4:

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 4-3.5:

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 4-3.6:



New York State Department of Environmental Conservation

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The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 4-3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All fuel burned in the Primary and Secondary treatment units (rotary kilns and thermal oxidizers, respectively) must contain less than 0.5% (wt) sulfur in order to assure compliance with the facility wide SO₂ emissions limit.

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 4-4: Capping Monitoring Condition

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 4-4.1:

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 201-6.1(a)

Item 4-4.2:

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

Item 4-4.3:

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.



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Item 4-4.4:

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 4-4.5:

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 4-4.6:

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

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 4-4.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility will limit emissions of sulfur dioxide from all sources to less than 198,000 pounds or less per 12-month period. Emissions will be calculated based upon sulfur content in the soils remediated to be determined utilizing one of the following methods: regulatory standard (State or Federal) for contaminant, analytical methodology in accordance with NYSDEC Permit No. 5-5330-00038/00019, or fuel source specification, and the regulated sulfur content of the waste fuel and/or oil burned in the treatment units.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 09/22/2007 for the period 10/01/2006 through 08/23/2007

Condition 4-5: Capping Monitoring Condition

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2



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Item 4-5.1:

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 201-6.1(a)

Item 4-5.2:

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

Item 4-5.3:

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 4-5.4:

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 4-5.5:

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 4-5.6:

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

Emission Unit: U-00001

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

Item 4-5.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The total volatile & semi-volatile content of PCS after blending which goes to the soil remediation units for



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treatment is not to exceed 14,286 tons per year, rolled monthly. Soil is tested before acceptance for concentration. Based on analyses & destruction efficiency (99.72%), monthly VOC emission calculations are made.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 09/22/2007 for the period 10/01/2006 through 08/23/2007

Condition 4-6: Compliance Demonstration
Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.4(c)

Item 4-6.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 4-6.2:

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.

Upper Permit Limit: 0.05 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: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 4-7: Compliance Demonstration

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Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 4-7.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Emission Unit: U-00002

Item 4-7.2:

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 at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will immediately investigate any instance where there is cause to believe that visible emissions above those that are normal and in compliance are occurring or have occurred from a process source.

If visible emissions above those that are normal (this may be zero percent opacity for many or all emission sources) and in compliance with section 212.6(a) are detected, the permittee shall determine the cause, make the necessary correction, and verify that the excess visible emissions problem has been corrected.

If visible emissions above those that are normal and in compliance continue to be present after corrections are made, the permittee will immediately notify The Department and conduct a Method 9 assessment within 24 hours to determine the degree of opacity.

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Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department.

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 4-8: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9

Item 4-8.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007647-01-0 HYDROGEN CHLORIDE

Item 4-8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The chlorine feed in the contaminated soil to the remediation units combined is restricted to 36.0 pounds per hour in order to assure compliance with the SGC for HCl.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: SOIL

Parameter Monitored: CHLORINE

Upper Permit Limit: 36.0 pounds per hour

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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Condition 4-9: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9

Item 4-9.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: 003

Emission Source: 00010

Emission Unit: U-00001

Process: 001

Emission Source: 00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 4-9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total volatile & semi-volatile content of PCS after blending which goes to the soil remediation units for treatment is not to exceed 810 lb/hr per rotary kiln. Soil is tested before acceptance for concentration. Based on analyses & destruction efficiency (99.72%), monthly VOC emission calculations are made.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: SOIL

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 810 pounds per hour

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: ANNUALLY (ANNIVERSARY)

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Condition 4-10: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9



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Item 4-10.1:

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

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 000053-70-3 DIBENZ[A,H]ANTHRACENE

Item 4-10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Allowable combined annual emissions of Dibenzo(a,h)anthracene is 13.188 lb/yr from the remediation units. Emissions shall be calculated as the measured concentration of Dibenzo(a,h)anthracene in coal-tar contaminated soils times the soil feed rate time (1 - 0.9981 the DRE demonstrated during stack testing).

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: COAL TAR

Parameter Monitored: DIBENZ[A,H]ANTHRACENE

Upper Permit Limit: 13.188 pounds per year

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 09/22/2007 for the period 10/01/2006 through 08/23/2007

Condition 4-11: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9

Item 4-11.1:

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

Emission Unit: U-00001

Process: 003

Emission Source: 00011

Emission Unit: U-00001

Process: 001

Emission Source: 00003



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

Item 4-11.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Average hourly thermal oxidizer exit temperatures must be a minimum of 1590 degrees Fahrenheit when processing non (coal-tar) contaminated soil in order to assure the same degree of control demonstrated during stack tests.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1590 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4-12: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9

Item 4-12.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: 003

Emission Source: 00011

Emission Unit: U-00001

Process: 001

Emission Source: 00003

Regulated Contaminant(s):

CAS No: 000053-70-3 DIBENZ[A,H]ANTHRACENE

Item 4-12.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Average hourly thermal oxidizer exit temperatures must be

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a minimum of 1710 degrees Fahrenheit when processing coal-tar contaminated soil in order to assure the same degree of control demonstrated during stack tests. Debenz[a,h]anthracene is the worst case contaminant.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1710 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4-13: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9

Item 4-13.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 4-13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Annual hours of operation of the stationary remediation unit (EP 00001) times 0.695 plus hours of operation of the mobile remediation unit (EP 00003) times 1.025 must be less than or equal to 8,760. This requirement assures compliance with long term acceptable guideline concentrations based on ISCST3 modeling.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

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Condition 4-14: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

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

Item 4-14.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 4-14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Coal Tar contaminated soils must be blended with low sulfur contaminated soils to bring the %S in the hydrocarbon portion of the soil fed to the remediation units to less than 1.5%.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: SOIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4-15: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.3(b)(1)(ii)

Item 4-15.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Process: 001

Emission Source: 00001

Emission Unit: U-00001

Process: 003

Emission Source: 00010



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Item 4-15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Each piece of equipment which fires Waste Fuel A shall demonstrate, at a minimum, 99% combustion efficiency within 60 days of its first use on site.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: COMBUSTION EFFICIENCY

Lower Permit Limit: 99.0 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 4-16: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4(b)

Item 4-16.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Item 4-16.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The total halogen limit per Part 360-14.2(x),(1) is 4000 ppm maximum. The more restrictive limit under Part 225-2.4(b) is 1000 ppm maximum.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 1000.0 parts per million by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE



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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4-17: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4(b)

Item 4-17.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 001336-36-3 POLYCHLORINATED BIPHENYL

Item 4-17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

The more restrictive limitation for Total PCBs, per Part
360-14.2(x),(1) is < 2 ppm maximum. The limit under Part
225-2.4(b) is <50 ppm maximum.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: CONCENTRATION

Upper Permit Limit: 50 parts per million by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL
CHANGE

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4-18: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4(b)

Item 4-18.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:



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Emission Unit: U-00001

Item 4-18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The more restrictive fuel contaminant limitation for lead under Part 360-14.2,(x),(1) is 100 ppm maximum. The Division of Air restrictions under Part 225-2.4(b) are 250.0 ppm

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: LEAD

Upper Permit Limit: 250.0 parts per million by weight

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4-19: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-2.4(b)

Item 4-19.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 4-19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The minimum fuel heat content of the waste oil shall be at least 125,000 BTU/gallon on fuel.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: WASTE OIL

Parameter Monitored: HEAT CONTENT

Lower Permit Limit: 125000.0 British thermal units per gallon

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE



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

Reporting Requirements: ANNUALLY (ANNIVERSARY)

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

Condition 4-20: Compliance Demonstration

Effective between the dates of 10/01/2006 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9

Item 4-20.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 4-20.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Minimum delta P across the baghouse during testing was 4
in. H₂O. Daily recording of the delta P across the
bag-house must show a minimum of 4 in. H₂O. If the delta
P drops below 4 in. H₂O then the process must be shut down
and corrective measures taken.

Parameter Monitored: PRESSURE CHANGE

Lower Permit Limit: 4 inches of water

Monitoring Frequency: DAILY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 34: Compliance Demonstration

Effective between the dates of 08/24/2000 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 212.9

Item 34.1:

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The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 34.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Carbon bed monitoring shall be performed once per month w/ a PID. When the PID meter indicates VOC breakthrough, maintenance shall be performed. Maintenance includes cleaning, adjusting or changing-out the activated carbon. After maintenance, carbon beds must operate at 99% control efficiency or better. VOC readings less than the accuracy of the PID (considered 2 ppm or 10% of recorded value which ever is greater) will not be considered breakthrough.

Reference Test Method: Method 21

Monitoring Frequency: MONTHLY

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

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

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law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 1-7: Contaminant List

Effective between the dates of 03/06/2003 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 1-7.1:

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

CAS No: 000053-70-3

Name: DIBENZ[A,H]ANTHRACENE

CAS No: 007647-01-0

Name: HYDROGEN CHLORIDE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 001336-36-3

Name: POLYCHLORINATED BIPHENYL

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY998-00-0

Name: VOC

Condition 1-8: Unavoidable noncompliance and violations

Effective between the dates of 03/06/2003 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 1-8.1:

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



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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 38: Emission Unit Definition
Effective between the dates of 08/24/2000 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 38.1(From Mod 4):

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit includes two Low Temperature Thermal Desorption Units (LTTDUs) used primarily to treat



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petroleum and nonpetroleum contaminated soils. Each LTTDU consists of a rotary kiln (primary treatment unit), thermal oxidizer (secondary treatment unit), quench tower, optional multiple cyclones, and baghouses.

Item 38.2(From Mod 4):

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

Emission Unit: U-00002

Emission Unit Description:

The ventillation from the contaminated soil storage building has carbon bed filters with particulate pre-filters for control of particulate and VOC emissions.

Building(s): 00001

Condition 40: Air pollution prohibited
Effective between the dates of 08/24/2000 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 40.1:

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 41: Emission Point Definition By Emission Unit
Effective between the dates of 08/24/2000 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 41.1(From Mod 4):

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 55 Diameter (in.): 48

NYTMN (km.): 4792.576 NYTME (km.): 615.849

Emission Point: 00003



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Height (ft.): 39 Length (in.): 80 Width (in.): 32
NYTMN (km.): 4792.576 NYTME (km.): 615.842

Item 41.2(From Mod 4):

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

Emission Unit: U-00002

Emission Point: 00002

Height (ft.): 55 Diameter (in.): 26

Building: 00001

Condition 42: Process Definition By Emission Unit

Effective between the dates of 08/24/2000 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 42.1(From Mod 4):

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

Emission Unit: U-00001

Process: 001

Source Classification Code: 5-04-105-30

Process Description:

This process is the thermal desorption of contaminated soils in the primary treatment units followed by thermal oxidation of effluent gases in the secondary treatment units. The treatment units are fueled by No. 2 fuel oil, No. 4 fuel oil, non-residual Waste Oil A, natural gas, or liquid petroleum gas. Each unit is equipped with an optional multiple cyclone and a baghouse for emissions control. Emissions testing during processing of coal-tar contaminated materials in 1998 demonstrates the ability to operate without the multiple cyclones and meet applicable particulate emission limitations.

Emission Source/Control: 00001 - Combustion

Design Capacity: 49.3 million Btu per hour

Emission Source/Control: 00003 - Combustion

Design Capacity: 40.5 million Btu per hour

Emission Source/Control: 00004 - Control

Control Type: MULTIPLE CYCLONE W/O FLY ASH INJECTION

Emission Source/Control: 00005 - Control

Control Type: FABRIC FILTER

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Item 42.2(From Mod 4):

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

Emission Unit: U-00001

Process: 003

Source Classification Code: 5-04-105-30

Process Description:

Mobile Remediation Unit - This process is the thermal desorption of contaminated soils in the primary treatment units followed by thermal oxidation of effluent gases in the secondary treatment units. The treatment units are fueled by No. 2 fuel oil, No. 4 fuel oil, non-residual Waste Oil A, natural gas, or liquidified petroleum gas. Each unit is equipped with a baghouse for emissions control. Emissions testing during processing of coal-tar contaminated materials in 1998 demonstrates the ability to operate without the multiple cyclones and meet applicable particulate emission limitations.

Emission Source/Control: 00010 - Combustion

Design Capacity: 42 million Btu per hour

Emission Source/Control: 00011 - Combustion

Design Capacity: 42 million BTUs per hour

Emission Source/Control: 00012 - Control

Control Type: MULTIPLE CYCLONE W/O FLY ASH INJECTION

Emission Source/Control: 00013 - Control

Control Type: FABRIC FILTER

Item 42.3(From Mod 4):

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

Emission Unit: U-00002

Process: 002

Source Classification Code: 5-03-008-99

Process Description:

Building exhaust contains fugitive VOC from contaminated soil storage plus particulates from crushing, screening and soil handling activities.

Emission Source/Control: 00002 - Control

Control Type: ACTIVATED CARBON ADSORPTION

Emission Source/Control: 00009 - Control

Control Type: MAT OR PANEL FILTER

Emission Source/Control: 00006 - Process

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Emission Source/Control: 00007 - Process

Emission Source/Control: 00008 - Process