

**New York State Department of Environmental Conservation  
Facility DEC ID: 6301300103**



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

**IDENTIFICATION INFORMATION**

PAir State Facility

Permit ID: 6-3013-00103/00007

Effective Date: 06/04/2004

Expiration Date: No expiration date

Permit Issued To:

NYS DEPT OF CORRECTIONAL SERVICES  
BUILDING 2 - STATE OFFICE BUILDING CAMPUS  
ALBANY, NY 12226

KEITH D RUPERT

NYS DEPARTMENT OF CORRECTIONAL SERVICES  
1220 WASHINGTON AVENUE  
ALBANY, NY 12226  
(518) 435-9477

Facility:

ONEIDA CORRECTIONAL FACILITY  
6100 SCHOOL ROAD  
ROME, NY 13340

Contact:

EDWARD REYNOLDS  
MOHAWK/ONEIDA CORRECTIOAL FACILITY  
6100 SCHOOL ROAD

ROME, NY 13440

(315) 339-5232

Description:

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

Permit Administrator:

BRIAN D FENLON  
DIVISION OF ENVIRONMENTAL PERMITS  
STATE OFFICE BLDG, 317 WASHINGTON ST  
WATERTOWN, NY 13601-3787

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

FINAL



**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

Permit Modifications, Suspensions and Revocations by the Department

**Facility Level**

Submission of Applications for Permit Modification or Renewal -REGION 6  
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 and Modifications**  
**Applicable State Requirement: 6NYCRR 621.13**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



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transfer of ownership.

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

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 6 HEADQUARTERS**  
**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 6 Headquarters  
Division of Environmental Permits  
State Office Building, 317 Washington Street  
Watertown, NY 13601-3787  
(315) 785-2245



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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: NYS DEPT OF CORRECTIONAL SERVICES  
BUILDING 2 - STATE OFFICE BUILDING CAMPUS  
ALBANY, NY 12226

Facility: ONEIDA CORRECTIONAL FACILITY  
6100 SCHOOL ROAD  
ROME, NY 13340

Authorized Activity By Standard Industrial



**LIST OF CONDITIONS**

**FEDERALLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 1 6NYCRR 201-6.5(g): Non Applicable requirements
- 2 6NYCRR 226: Compliance Demonstration
- 3 6NYCRR 227-1.6(a): Corrective action.
- 4 6NYCRR 227-1.6(b): Corrective action.
- 5 6NYCRR 227-1.6(c): Corrective action.
- 6 6NYCRR 227-1.6(d): Corrective action.
- 7 6NYCRR 230.5(b): Compliance Demonstration

**Emission Unit Level**

**EU=0-0MAIN**

- 8 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 9 6NYCRR 225-1.8(a): Compliance Demonstration
- 10 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 11 6NYCRR 227.2(b)(1): Compliance Demonstration

**EU=0-0MAIN,EP=00001**

- 12 6NYCRR 227-1.3(a): Compliance Demonstration

**EU=1-POWER**

- 13 6NYCRR 202-1.1: Compliance Demonstration
- 14 6NYCRR 227.2(b)(1): Compliance Demonstration
- 15 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 16 40CFR 60.7(a)(1), NSPS Subpart A: Compliance Demonstration
- 17 40CFR 60.7(a)(3), NSPS Subpart A: Compliance Demonstration
- 18 40CFR 60.7(a)(4), NSPS Subpart A: Compliance Demonstration
- 19 40CFR 60.7(a)(6), NSPS Subpart A: Compliance Demonstration
- 20 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 21 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 22 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or Local Agency
- 23 40CFR 60.9, NSPS Subpart A: Availability of information.
- 24 40CFR 60.11(b), NSPS Subpart A: Compliance Demonstration
- 25 40CFR 60.11(c), NSPS Subpart A: Opacity Standard During Periods of Startup, Shutdown or Malfunction
- 26 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
- 27 40CFR 60.11(e)(1), NSPS Subpart A: Compliance Demonstration
- 28 40CFR 60.11(g), NSPS Subpart A: Use of Credible Evidence
- 29 40CFR 60.12, NSPS Subpart A: Circumvention.
- 30 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration



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- 31 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 32 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 33 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration
- 34 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.
- 35 40CFR 60.44c(h), NSPS Subpart Dc: Compliance Demonstration
- 36 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.
- 37 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 38 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 39 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 40 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration
- 41 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 42 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Demonstration

**EU=2-GENER**

- 43 6NYCRR 227-1.3: Compliance Demonstration
- 44 6NYCRR 227.2(b)(1): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 45 ECL 19-0301: Contaminant List
- 46 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 47 6NYCRR 201-5: Emission Unit Definition
- 48 6NYCRR 201-7.2(c): Facility Permissible Emissions
- \*49 6NYCRR 201-7.2(c): Capping Monitoring Condition
- \*50 6NYCRR 201-7.2(c): Capping Monitoring Condition
- \*51 6NYCRR 201-7.2(c): Capping Monitoring Condition
- 52 6NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

- 53 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 54 6NYCRR 201-5: Process Definition By Emission Unit

**EU=2-GENER**

- \*55 6NYCRR 201-7.2(c): Capping Monitoring Condition

NOTE: \* preceding the condition number indicates capping. Classification Code:  
9223 - CORRECTIONAL INSTITUTIONS

Permit Effective Date: 06/04/2004

Permit Expiration Date: No expiration date.



**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

Any person who owns or operates an air contamination

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

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

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

**Item K: Visible Emissions Limited - 6 NYCRR Part 211.3**

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

**Item L: Open Fires - 6 NYCRR Part 215**

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

**Item M: Permit Exclusion - ECL 19-0305**

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



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

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

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

**FEDERAL APPLICABLE REQUIREMENTS**

**The following conditions are federally enforceable.**

**Condition 1: Non Applicable requirements  
Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 201-6.5(g)**

**Item 1.1:**

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

6NYCRR 225-1.2(a)(2)

Emission Unit: 1POWER

Reason: The sulfur in fuel restrictions contained in 6 NYCRR Part 225-1.2(a)(2) have been excluded from this permit because the sulfur in fuel restrictions contained in 40 CFR Part 60.42c(d) are more restrictive than those contained in the state regulation. Also the monitoring, recordkeeping, and reporting requirements contained in 40 CFR Part 60 Subpart Dc are more restrictive than those contained in state regulation.

6NYCRR 227-1.3



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Emission Unit: 1POWER

Reason: The opacity restrictions contained at 6 NYCRR Part 227-1.3 are not included in this permit because they are identical to the opacity restrictions in 40 CFR Part 60.43c(c). Moreover the reporting requirements contained in 40 CFR Part 60 Subpart Dc are more restrictive than those contained in the state regulation.

**Condition 2: Compliance Demonstration**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 226**

**Item 2.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

6NYCRR 226. Requirements for Cold Cleaning Degreasers  
(Non Title V after 12/31/2003)

**A. Equipment Specifications**

The following types of control equipment must be used when conducting cold cleaning degreasing, solvent metal cleaning:

- (1) A cover which can be operated easily.
- (2) An internal drainage facility (under cover), if practical.
- (3) A control system that limits VOC emissions to those achievable with equipment having a freeboard ratio greater than or equal to 0.5, or a water cover when the solvent is insoluble in and heavier than water. This does not apply to remote reservoir degreasers.
- (4) Solvent with a vapor pressure of 1.0 mm Hg, or less, at 20 C.

**B. Operating Requirements:**

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When cold cleaning, the clean parts must be drained at least 15 seconds or until dripping ceases.

**C. General Requirements:**

A Person conducting solvent metal cleaning must:

- (1) Store solvent in covered containers and transfer or dispose of waste solvent in such a manner that less than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere.
- (2) Maintain equipment to minimize leaks and fugitive emissions.
- (3) Display at the equipment location a conspicuous summary of proper operating procedures consistent with minimizing emissions of VOCs.
- (4) Keep the degreaser cover closed except when:
  - (a) parts are being placed into or being removed from the degreaser;
  - (b) adding or removing solvent from the degreaser;
  - (c) no solvent is in the degreaser; or
  - (d) when manually cleaning metal parts in the cold cleaning degreaser.
- (5) Create and retain a record of solvent consumption for five years. This record must be made available to the Department upon request.
- (6) Not clean sponges, fabric, wood, leather, paper products and other absorbent materials in a degreaser.
- (7) If using a cold cleaning degreaser that is subject to paragraph 226.3(a)(4), retain a record of the following three items for five years and provide these records to the Department upon request. An invoice, a bill of sale, a certificate covering multiple sales, a Material Safety Data Sheet (MSDS), or other appropriate documentation acceptable to the Department may be used to comply with this requirement.
  - (a) the name and address of the solvent supplier;
  - (b) the type of solvent including the product or vendor identification number; and
  - (c) the vapor pressure of the solvent measured in mm Hg at 20 °C (68 °F).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 3: Corrective action.**



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

**Item 3.1:**

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

- (1) it is equipped with approved emission control equipment;
- (2) it is rehabilitated or upgraded in an approved manner; or
- (3) the fuel is changed to an acceptable type.

**Condition 4: Corrective action.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 4.1:**

The commissioner may seal the affected stationary combustion installation that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

**Condition 5: Corrective action.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 5.1:**

No person shall cause, permit, or allow the operation of any affected stationary combustion installation sealed by the commissioner in accordance with this section.

**Condition 6: Corrective action.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 6.1:**

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

**Condition 7: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 230.5(b)**

**Item 7.1:**



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The Compliance Demonstration activity will be performed for the Facility.

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Facility shall maintain a sum of all gasoline deliveries to its gasoline-dispensing site during each month. The sum of all gasoline deliveries during any 12 consecutive month period will be used to determine whether the requirements of Part 230.2 apply.

Once a gasoline-dispensing site becomes subject to the requirements of Part 230.2 because its annual gasoline throughput exceeds 120,000 gallons, subsequent decreases in gasoline deliveries or throughput do not excuse a source owner from having to maintain the effectiveness of the stage I and/or stage II equipment.

Parameter Monitored: GASOLINE

Upper Permit Limit: 120000 gallons per year

Monitoring Frequency: PER DELIVERY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 8: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 8.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 9: Compliance Demonstration**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 9.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

**Item 9.2:**

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, 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 10: Sampling, compositing, and analysis of fuel samples**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 10.1:**

This Condition applies to Emission Unit: 0-0MAIN

**Item 10.2:**

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.

**Condition 11: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 11.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 11.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

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

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4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 12: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 12.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN Emission Point: 00001

**Item 12.2:**

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 operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

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 13: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**



**Applicable Federal Requirement: 6NYCRR 202-1.1**

**Item 13.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

Regulated Contaminant(s):

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

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The emission of oxides of nitrogen from each boiler in emission unit 1-POWER shall not exceed 16.8 pounds per 1000 gallons of #2 fuel oil burned.

Within 180 days of startup of the first boiler contained in emission unit 1-POWER the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of oxides of nitrogen emissions, from one of the four boilers, in a manner that will determine if the boiler is in compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine if the boiler is in compliance with the oxide of nitrogen emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Upper Permit Limit: 16.8 pounds per 1000 gallons

Reference Test Method: EPA RM 7 or 7A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION



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Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 14: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 14.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input while firing distillate oil.

Within 180 days of startup of the first boiler contained in emission unit 1-POWER the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions, from one of the four boilers while firing No. 2 fuel oil, in a manner that will determine if the boiler is in compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine if the boiler is in compliance with the particulate emission limit cited in this condition while firing No. 2 fuel oil.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this

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stationary combustion installation for a period of 5 years.

Upper Permit Limit: 0.10 pounds per million Btus  
Reference Test Method: EPA RM 5  
Monitoring Frequency: SINGLE OCCURRENCE  
Averaging Method: 2-HOUR BLOCK AVERAGE  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 15: EPA Region 2 address.**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A**

**Item 15.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 15.2:**

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 16: Compliance Demonstration**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(a)(1), NSPS Subpart A**

**Item 16.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

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**Item 16.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the date construction (or reconstruction as defined under 40 CFR Part 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 17: Compliance Demonstration**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(a)(3), NSPS Subpart A**

**Item 17.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 17.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 18: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(a)(4), NSPS Subpart A**

**Item 18.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 18.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

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 that change is specifically exempted under an applicable subpart or in 40 CFR Part 60.14(e). This notice shall be postmarked 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 capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 19: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.7(a)(6), NSPS Subpart A**

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**Item 19.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

A notification of the anticipated date for conducting the opacity observations required by 40 CFR Part 60.11(e)(1). The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 20: Recordkeeping requirements.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 20.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 20.2:**

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 21: Facility files for subject sources.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

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**Item 21.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 21.2:**

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 22: Notification Similar to State or Local Agency**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 22.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 22.2:**

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 23: Availability of information.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A**

**Item 23.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 23.2:**

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 24: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.11(b), NSPS Subpart A**

**Item 24.1:**

The Compliance Demonstration activity will be performed for:

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**Item 24.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in 40 CFR Part 60.11(e)(5). For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 25: Opacity Standard During Periods of Startup, Shutdown or  
Malfunction**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.11(c), NSPS Subpart A**

**Item 25.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 25.2:**

The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

**Condition 26: Compliance with Standards and Maintenance Requirements**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.11(d), NSPS Subpart A**

**Item 26.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 26.2:**



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At all times, including periods of startup, shutdown, and malfunction, owners and operators of this facility shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Department and the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source

**Condition 27: Compliance Demonstration**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.11(e)(1), NSPS Subpart A**

**Item 27.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 27.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 40 CFR Part 60.8 unless one of the following conditions apply. If no performance test under 40 CFR Part 60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 40 CFR Part 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 40 CFR Part 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under 40 CFR Part 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity

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observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in 40 CFR Part 60.11(e)(5), the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 28: Use of Credible Evidence**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.11(g), NSPS Subpart A**

**Item 28.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 28.2:**

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.



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**Condition 29: Circumvention.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A**

**Item 29.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 29.2:**

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 30: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 30.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 30.2:**

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: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.



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The initial report is due 7/30/2004.

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

**Condition 31: Exemption from the averaging period.**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 31.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 31.2:**

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 32: Enforceability.**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 32.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 32.2:**

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 33: Compliance Demonstration**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 33.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 33.2:**

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

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

Parameter Monitored: OPACITY  
Upper Permit Limit: 20.0 percent  
Reference Test Method: Method 9  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 7/30/2004.  
Subsequent reports are due every 6 calendar month(s).

**Condition 34: Enforceability of particulate matter and opacity standards.**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 34.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 34.2:**

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 35: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 35.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 35.2:**

Compliance Demonstration shall include the following monitoring:

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

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Monitoring Description:

THE FACILITY OWNER AND/OR OPERATOR MUST DEMONSTRATE COMPLIANCE WITH THE REQUIREMENTS OF 40 CFR 60.42c(h). FACILITIES DEMONSTRATING COMPLIANCE USING THE FUEL SUPPLIER CERTIFICATION, FOR SULFUR-IN-FUEL LIMITATIONS (BASED ON A PERCENT BY WEIGHT OF SULFUR IN THE FUEL), 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

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 36: Exemption from sulfur dioxide monitoring requirements.  
Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 36.1:**

This Condition applies to Emission Unit: 1-POWER

**Item 36.2:**

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 37: Compliance Demonstration  
Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 37.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 37.2:**

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



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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 38: Compliance Demonstration**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 38.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 38.2:**

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 SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.



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

**Condition 39: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 39.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 39.2:**

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 SO<sub>2</sub> emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.43c 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 quarter.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

**Condition 40: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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



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**Item 40.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 40.2:**

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.

The initial report is due 7/30/2004.

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

**Condition 41: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 41.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 41.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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**Monitoring Description:**

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

**Monitoring Frequency:** DAILY

**Reporting Requirements:** SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

**Condition 42: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 42.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-POWER

**Item 42.2:**

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.

**Monitoring Frequency:** AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

**Reporting Requirements:** SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2004.

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

**Condition 43: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable Federal Requirement: 6NYCRR 227-1.3**

**Item 43.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-GENER



**Item 43.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired internal combustion engines 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 internal combustion engine which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence.

The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

\*\* NOTE \*\* Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the

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detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

**Condition 44: Compliance Demonstration**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

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

**Item 44.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-GENER

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 44.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.

2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.

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3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING  
DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING  
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Public Access to Recordkeeping for Facilities With State Facility Permits - 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 45: Contaminant List**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: ECL 19-0301**

**Item 45.1:**

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 46: Unavoidable noncompliance and violations**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-1.4**

**Item 46.1:**

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



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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 47: Emission Unit Definition**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 47.1:**

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

Emission Unit: 0-0MAIN

Emission Unit Description:

THREE 68 MMBTU/HR BOILERS AND ONE 43  
MMBTU/HR BOILER CAPABLE OF FIRING BOTH  
NATURAL GAS AND NO. 6 FUEL OIL ARE LOCATED  
IN THE POWERHOUSE. THE BOILERS WERE

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INSTALLED IN 1967. NSPS DOES NOT APPLY TO THE BOILERS. THE BOILERS VENT TO A COMMON STACK.

**Item 47.2:**

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

Emission Unit: 1-POWER

Emission Unit Description:

FOUR BOILERS ARE LOCATED IN THE MOHAWK POWERHOUSE. ALL OF THE BOILERS ARE CAPABLE OF BURNING BOTH NATURAL GAS AND NO. 2 FUEL OIL. THE BOILERS ARE RATED AT 83.4 MMBTU/HR BURNING NATURAL GAS AND 79.4 MMBTU/HR EACH BURNING NO. 2 FUEL OIL. THE BOILERS ARE SUBJECT TO 40 CFR SUBPART DC, NSPS. THE BOILERS HAVE INDIVIDUAL STACKS.

THIS EMISSION UNIT ALSO CONTAINS A TEMPORARY PACKAGE BOILER RATED AT 20 MMBTU/HR, BURNING NO. 2 FUEL OIL. THIS PACKAGE BOILER WILL BE IN OPERATION ONLY DURING THE TRANSITION FROM THE EXISTING BOILERS (EMISSION UNIT 0-0MAIN) TO THE FOUR NEW BOILERS CONTAINED IN THIS EMISSION UNIT (EMISSION SOURCES - 00P01, 00P02, 00P03 & 00P04).

Building(s): 32

**Item 47.3:**

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

Emission Unit: 2-GENER

Emission Unit Description:

FIVE DIESEL GENERATORS ARE USED IN THE COORDINATED ENERGY DEMAND RESPONSE PROGRAM (CDRP) AND FOR EMERGENCY POWER.

Building(s): 32/52

**Condition 48: Facility Permissible Emissions**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7.2(c)**

**Item 48.1:**

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



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following

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

CAS No: 000630-08-0                      PTE: 196,000 pounds per year  
Name: CARBON MONOXIDE

CAS No: 007446-09-5                      PTE: 196,000 pounds per year  
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0                      PTE: 196,000 pounds per year  
Name: OXIDES OF NITROGEN

**Condition 49: Capping Monitoring Condition**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7.2(c)**

**Item 49.1:**

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)  
6NYCRR 227-2.1

**Item 49.2:**

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

**Item 49.3:**

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 49.4:**

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 49.5:**

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 49.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 49.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall limit emissions of oxides of nitrogen to no more than 98 tons during any consecutive 12 month period. To demonstrate compliance with this limit the facility shall perform the following:

Facility shall maintain records of the amount of each fuel burned, in each combustion source, at the facility on a monthly basis. At the end of each month the fuel usage for each combustion source shall be added to the previous 11 month total, for that combustion source, to give a total for each fuel burned during the most recent consecutive 12 month period. The most recent consecutive 12 month period fuel usage amounts shall then be inserted in the equation below to generate an annual oxides of nitrogen emission value. This annual oxides of nitrogen emission value shall not exceed 98 tons.

$$\text{Tons of oxides of nitrogen} = [(50 \times \text{NGN}) + (100 \times \text{NGE}) + (16.8 \times \text{FOB}) + (75 \times \text{FOM}) + (20 \times \text{FOE}) + (0.60 \times \text{SDG}) + (0.44 \times \text{LDG})]/2000$$

where:

NGN = millions of standard cubic feet of natural gas burned in new boilers (Emission Unit: 1- POWER)  
NGE = millions of standard cubic feet of natural gas burned in existing boilers (Emission Unit: 0-0MAIN)  
FOB = thousands of gallons of #2 oil burned in new boilers (Emission Unit: 1- POWER)  
FOM = thousands of gallons of #6 oil burned in existing boilers (Emission Unit: 0-0MAIN)



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FOE = thousands of gallons of #2 oil burned in exempt and temporary boilers  
SDG = gallons of diesel burned in small generators  
LDG = gallons of diesel burned in large generators

When sufficient new evidence becomes available to substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Process Material: FUEL  
Parameter Monitored: VOLUME  
Upper Permit Limit: 98 tons per year  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2005.  
Subsequent reports are due every 12 calendar month(s).

**Condition 50: Capping Monitoring Condition**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7.2(c)**

**Item 50.1:**

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)  
40CFR 52-A.21

**Item 50.2:**

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

**Item 50.3:**

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 50.4:**

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 50.5:**

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 50.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 50.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall limit emissions of carbon monoxide to no more than 98 tons during any consecutive 12 month period. To demonstrate compliance with this limit the facility shall perform the following:

Facility shall maintain records of the amount of each fuel burned, in each combustion source, at the facility on a monthly basis. At the end of each month the fuel usage for each combustion source shall be added to the previous 11 month total, for that combustion source, to give a total for each fuel burned during the most recent consecutive 12 month period. The most recent consecutive 12 month period fuel usage amounts shall then be inserted in the equation below to generate an annual carbon monoxide emission value. This annual carbon monoxide emission value shall not exceed 98 tons.

$$\text{Tons of carbon monoxide} = [(84 \times \text{NG}) + (5 \times \text{FOB}) + (0.13 \times \text{SDG}) + (0.12 \times \text{LDG})] / 2000$$

where:

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NG = millions of standard cubic feet of natural gas burned in all boilers

FOB = thousands of gallons of #2 and #6 oil burned in all boilers

SDG = gallons of diesel burned in small generators

LDG = gallons of diesel burned in large generators

When sufficient new evidence becomes available to substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Process Material: FUEL

Parameter Monitored: VOLUME

Upper Permit Limit: 98 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

**Condition 51: Capping Monitoring Condition**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7.2(c)**

**Item 51.1:**

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)

40CFR 52-A.21

**Item 51.2:**

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

**Item 51.3:**

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



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hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 51.4:**

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 51.5:**

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 51.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 51.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall limit emissions of sulfur dioxide to no more than 98 tons during any consecutive 12 month period. To demonstrate compliance with this limit the facility shall perform the following:

Facility shall maintain records of the amount of each fuel burned, in each combustion source, at the facility on a monthly basis. At the end of each month the fuel usage for each combustion source shall be added to the previous 11 month total, for that combustion source, to give a total for each fuel burned during the most recent consecutive 12 month period. The most recent consecutive 12 month period fuel usage amounts shall then be inserted in the equation below to generate an annual sulfur dioxide emission value. This annual sulfur dioxide emission value shall not exceed 98 tons.

Tons of sulfur dioxide =  $[(0.6 \times \text{NG}) + (71 \times \text{FOB}) + (235 \times \text{FOM}) + (71 \times \text{FOE}) + (0.04 \times \text{SDG}) + (0.07 \times$

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LDG)]/2000

where:

NG = millions of standard cubic feet of natural gas burned in all boilers

FOB = thousands of gallons of #2 oil burned in new boilers (Emission Unit: 1-POWER)

FOM = thousands of gallons of #6 oil burned in existing boilers (Emission Unit: 0-0MAIN)

FOE = thousands of gallons of #2 oil burned in exempt and temporary boilers

SDG = gallons of diesel burned in small generators

LDG = gallons of diesel burned in large generators

When sufficient new evidence becomes available to substantiate changing the emission factors used in the above equation the Department will discuss modifying this condition with the applicant prior to making any changes to this condition.

Process Material: FUEL

Parameter Monitored: VOLUME

Upper Permit Limit: 98 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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

**Condition 52: Air pollution prohibited**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 211.2**

**Item 52.1:**

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 53: Emission Point Definition By Emission Unit**  
Effective between the dates of 06/04/2004 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

**Item 53.1:**

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

Emission Unit: 0-0MAIN

Emission Point: 00001

Height (ft.): 125

Diameter (in.): 120

NYTMN (km.): 4781.423 NYTME (km.): 460.632 Building: 32

**Item 53.2:**

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

Emission Unit: 1-POWER

Emission Point: 0001A

Height (ft.): 101

Diameter (in.): 43

Building: 32

Emission Point: 0002A

Height (ft.): 101

Diameter (in.): 43

Emission Point: 0003A

Height (ft.): 101

Diameter (in.): 43

Building: 32

Emission Point: 0004A

Height (ft.): 101

Diameter (in.): 43

Building: 32

Emission Point: TEMP1

Height (ft.): 20

Diameter (in.): 12

Building: 32

**Item 53.3:**

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

Emission Unit: 2-GENER



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Emission Point: 0005A Height (ft.): 20	Diameter (in.): 20
Emission Point: 0006A Height (ft.): 11	Diameter (in.): 10
Emission Point: 0007A Height (ft.): 29	Diameter (in.): 12
Emission Point: 0008A Height (ft.): 29	Diameter (in.): 12
Emission Point: 0009A Height (ft.): 11	Diameter (in.): 10

**Condition 54: Process Definition By Emission Unit**  
**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-5**

**Item 54.1:**

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

Emission Unit: 0-0MAIN  
Process: 6FO Source Classification Code: 1-02-004-01  
Process Description:  
FOUR EXISTING BOILERS IN EMISSION UNIT  
0-0MAIN BURNING #6 FUEL OIL.

Emission Source/Control: 00B01 - Combustion  
Design Capacity: 43 million Btu per hour

Emission Source/Control: 00B02 - Combustion  
Design Capacity: 68 million Btu per hour

Emission Source/Control: 00B03 - Combustion  
Design Capacity: 68 million Btu per hour

Emission Source/Control: 00B04 - Combustion  
Design Capacity: 68 million Btu per hour

**Item 54.2:**

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

Emission Unit: 1-POWER  
Process: GAS  
Process Description: THE FOUR POWERHOUSE BOILERS BURN NATURAL GAS.

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Emission Source/Control: 00P01 - Combustion  
Design Capacity: 83.4 million Btu per hour

Emission Source/Control: 00P02 - Combustion  
Design Capacity: 83.4 million Btu per hour

Emission Source/Control: 00P03 - Combustion  
Design Capacity: 83.4 million Btu per hour

Emission Source/Control: 00P04 - Combustion  
Design Capacity: 83.4 million Btu per hour

**Item 54.3:**

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

Emission Unit: 1-POWER  
Process: OIL  
Process Description: THE FOUR POWERHOUSE BOILERS BURN NO. 2 FUEL OIL.

Emission Source/Control: 00P01 - Combustion  
Design Capacity: 83.4 million Btu per hour

Emission Source/Control: 00P02 - Combustion  
Design Capacity: 83.4 million Btu per hour

Emission Source/Control: 00P03 - Combustion  
Design Capacity: 83.4 million Btu per hour

Emission Source/Control: 00P04 - Combustion  
Design Capacity: 83.4 million Btu per hour

**Item 54.4:**

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

Emission Unit: 1-POWER  
Process: TMP  
Process Description:  
THE TEMPORARY PACKAGE BOILER BURNING NO. 2  
FUEL OIL.

Emission Source/Control: 0TEMP - Combustion      Removal Date: 06/30/2005  
Design Capacity: 20 million Btu per hour

**Item 54.5:**

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



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Emission Unit: 2-GENER

Process: GEN

Process Description:

FIVE DIESEL GENERATORS PROVIDE EMERGENCY  
POWER AND ARE INCLUDED IN AN ENERGY DEMAND  
RESPONSE PROGRAM.

Emission Source/Control: 00G01 - Combustion

Design Capacity: 125 kilowatts

Emission Source/Control: 00G02 - Combustion

Design Capacity: 800 kilowatts

Emission Source/Control: 00G03 - Combustion

Design Capacity: 1,500 kilowatts

Emission Source/Control: 00G04 - Combustion

Design Capacity: 1,600 kilowatts

Emission Source/Control: 00G05 - Combustion

Design Capacity: 900 kilowatts

**Condition 55: Capping Monitoring Condition**

**Effective between the dates of 06/04/2004 and Permit Expiration Date**

**Applicable State Requirement: 6NYCRR 201-7.2(c)**

**Item 55.1:**

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)

40CFR 52-A.21

**Item 55.2:**

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

**Item 55.3:**

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 55.4:**



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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 55.5:**

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 55.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-GENER

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 55.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

At no time shall this facility combust diesel fuel, in any of the five diesel generators that make up emission unit 2-GENER, with a sulfur content in excess of 0.5 percent by weight. Facility will demonstrate compliance with this limit by maintaining certifications from the fuel supplier. Facility will make a semi-annual report detailing the sulfur content of all diesel fuel combusted in emission unit 2-GENER during the previous six months. Copies of all fuel supplier certifications shall be kept on site for a period of 2 years following the date of such record.

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2005.

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