

New York State Department of Environmental Conservation
Facility DEC ID: 6301600043



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 6-3016-00043/00005
Effective Date: 09/08/2003 Expiration Date: No expiration date

Permit Issued To: NYS OFFICE OF MENTAL HEALTH
44 HOLLAND AVE
ALBANY, NY 12229

Contact: A SCOTT BARD
NYS OFFICE OF MENTAL HEALTH - CDPC
75 NEW SCOTLAND AVE
ALBANY, NY 12208
(518) 473-5823

Facility: MOHAWK VALLEY PSYCHIATRIC CENTER
1400 NOYES AT YORK
UTICA, NY 13502

Contact: IVAN OUDERKIRK
MOHAWK VALLEY PSYCHIATRIC CENTER
1400 NOYES AT YORK
UTICA, NY 13502-3852
(315) 738-4150

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: ____ / ____ / ____



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 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



New York State Department of Environmental Conservation
Facility DEC ID: 6301600043

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



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NYS OFFICE OF MENTAL HEALTH
44 HOLLAND AVE
ALBANY, NY 12229

Facility: MOHAWK VALLEY PSYCHIATRIC CENTER
1400 NOYES AT YORK
UTICA, NY 13502

Authorized Activity By Standard Industrial Classification Code:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 201-6.1(a): Facility Permissible Emissions
- *2 6NYCRR 201-6.1(a): Compliance Demonstration
- 3 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 4 6NYCRR 225-1.2(a)(2): Compliance Demonstration
- 5 6NYCRR 225-1.8(a): Compliance Demonstration
- 6 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 7 6NYCRR 227-1.3(a): Compliance Demonstration
- 8 6NYCRR 227-1.6(a): Corrective action.
- 9 6NYCRR 227-1.6(b): Corrective action.
- 10 6NYCRR 227-1.6(c): Corrective action.
- 11 6NYCRR 227-1.6(d): Corrective action.
- 12 6NYCRR 227-2: Facility Permissible Emissions
- *13 6NYCRR 227-2: Compliance Demonstration
- 14 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 15 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 16 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 17 40CFR 60.9, NSPS Subpart A: Availability of information.
- 18 40CFR 60.11(d), NSPS Subpart A: Compliance with Standards and Maintenance Requirements
- 19 40CFR 60.12, NSPS Subpart A: Circumvention.
- 20 40CFR 60.14, NSPS Subpart A: Modifications.
- 21 40CFR 60.15, NSPS Subpart A: Reconstruction

Emission Unit Level

- 22 40CFR 52.21, Subpart A: Emission Unit Permissible Emissions

EU=U-00001

- *23 40CFR 52.21, Subpart A: Compliance Demonstration
- 24 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 25 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 26 40CFR 60.44c(h), NSPS Subpart Dc: Compliance Demonstration
- 27 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 28 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 29 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 30 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration
- 31 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 32 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Demonstration

EU=U-00001,Proc=001

- 33 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration

EU=U-00001,Proc=002



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

34 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration

EU=U-00001,Proc=C01

35 6NYCRR 231-2.6: Compliance Demonstration

EU=U-00001,EP=00011

36 6NYCRR 227-1.2(b): Multiple combustion sources.

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

37 ECL 19-0301: Contaminant List

38 6NYCRR 201-1.4: Unavoidable noncompliance and violations

39 6NYCRR 201-5: Emission Unit Definition

40 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

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

42 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping. 8063 - PSYCHIATRIC HOSPITALS

Permit Effective Date: 09/08/2003

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

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



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



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

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



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

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



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

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: Facility Permissible Emissions
Effective between the dates of 09/08/2003 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 1.1:

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

CAS No: 0NY210-00-0 PTE: 180,000 pounds per year
Name: OXIDES OF NITROGEN

**Condition 2: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 201-6.1(a)

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

Regulated Contaminant(s):

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

Item 2.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The sum of the emissions of Oxides of Nitrogen (NOx) from the emission units specified in this permit to less than 90 tons during any consecutive 12 month period.

Verification of monthly individual NOx emissions will be determined by calculations using emission factors acceptable to the Department. Facility shall provide a report, with the required calculations and a demonstration of compliance with this limit to the NYSDEC Region 6 office by the reporting deadlines contained below.

This emission limitation will also classify this facility as a minor facility for PSD and NSR as it is currently operating.

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 1/30/2004.

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

Condition 3:

Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 3.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.5 percent 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 4: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 4.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.5 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:

Compliance Demonstration shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 6: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 09/08/2003 and Permit Expiration Date**

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

Item 6.1:

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

**Condition 7: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date**

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

Item 7.1:

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:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2004.
Subsequent reports are due every 6 calendar month(s).

Condition 8: Corrective action.
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 8.1:

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 9: Corrective action.
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 9.1:

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.

Corrective action.
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 10.1:

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 11: Corrective action.
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 11.1:

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



affixed to any affected stationary combustion installation.

Condition 12: Facility Permissible Emissions
Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-2

Item 12.1:

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

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

CAS No: 0NY210-00-0 PTE: 180,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 13: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-2

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility shall monitor and record Oxides of Nitrogen (NO_x) emissions to maintain emissions below 90 tons during any consecutive 12-month period. Verification of monthly individual NO_x emissions will be determined by calculations using emission factors acceptable to the Department. Facility shall provide a report, with the required calculations and a demonstration of compliance with this limit to the NYSDEC Region 6 office by the reporting deadlines contained below.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

Reports due 30 days after the reporting period.
The initial report is due 1/30/2004.
Subsequent reports are due every 12 calendar month(s).

Condition 14: EPA Region 2 address.
Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 14.1:

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 Enforcement and Compliance Assurance
625 Broadway
Albany, NY 12233-3258

Condition 15: Recordkeeping requirements.
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 15.1:

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 16: Facility files for subject sources.
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 16.1:

The following files shall be maintained at the facility for all affected sources: all measurements, including



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous 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 inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 17: Availability of information.

Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 17.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 18:

Compliance with Standards and Maintenance Requirements

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 18.1:

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 19: Circumvention.

Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 19.1:

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.

CoModifications.

Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 20.1:



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

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

Condition 21: Reconstruction

Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 21.1:

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

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

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

Condition 22:

Emission Unit Permissible Emissions

Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 22.1:

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-00001

CAS No: 0NY210-00-0



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

Name: OXIDES OF NITROGEN

PTE(s): 78,000 pounds per year

Condition 23:

Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

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

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

This facility shall monitor and record NO_x emissions to maintain emissions below a maximum of 39.0 tons per rolling 12-month period in order to Cap out of PSD. Compliance shall be determined by summing the individual monthly emissions during any consecutive 12-month period. Monthly NO_x emissions shall be calculated using the following factors to determine compliance: natural gas 50lb NO_x/1,000,000 CF; #2 Fuel oil 20lb NO_x/1000 gal; #6 Fuel oil 55Lb NO_x/1000 gal.

Compliance with this condition will also allow the emission unit to CAP out of 6 NYCRR Part 231-NSR requirements.

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 1/30/2004.

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

Condition 24:

Exemption from the averaging period.

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



Item 24.1:

This Condition applies to Emission Unit: U-00001

Item 24.2:

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 25:

Enforceability.

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 25.1:

This Condition applies to Emission Unit: U-00001

Item 25.2:

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 26: Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 26.2:

Compliance Demonstration shall include the following monitoring:

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

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.

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.5 percent by weight
Monitoring Frequency: SINGLE OCCURRENCE
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 27: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 27.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 28: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



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

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

Condition 29: Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS NSULFUR DIOXIDE

Item 29.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.43c shall keep

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



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 1/30/2004.

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

Condition 30: Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 30.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 30.2:

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

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



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 1/30/2004.

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

Condition 31:

Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 31.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 32:

Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 32.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Item 32.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

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: UPON REQUEST BY REGULATORY AGENCY

Condition 33: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 33.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 001

Item 33.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.50 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

Condition 34: Compliance Demonstration
Effective between the dates of 09/08/2003 and Permit Expiration Date

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



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

Item 34.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: 002

Item 34.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.50 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2004.

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

Condition 35:

Compliance Demonstration

Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 231-2.6

Item 35.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Process: C01

Regulated Contaminant(s):

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

Item 35.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



Emission Process Id Number

_____C01_____

1. The above referenced emission process is prohibited from further operation.
2. The Facility has established:
 - a. 59.7 tons per year(tpy) of NOx emission reduction credits by shutdown of the above emission process which may be used or transferred for offset purposes, and
 - b. 59.7 tons per year (tpy) of NOx emission reduction credits by shutdown of the above referenced emission process which may be used for netting purposes provided the reductions are contemporaneous with a proposed source project at the facility.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 36:

Multiple combustion sources.

Effective between the dates of 09/08/2003 and Permit Expiration Date

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

Item 36.1:

This Condition applies to Emission Unit: U-00001 Emission Point: 00011

Item 36.2:

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



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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



law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 37: Contaminant List
Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable State ReqECL 19-0301

Item 37.1:

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

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

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

Condition 38: Unavoidable noncompliance and violations
Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 38.1:

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

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

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR



New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043

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 39: Emission Unit Definition
Effective between the dates of 09/08/2003 and Permit Expiration Date

Applicable State R6NYCRR 201-5

Item 39.1:

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

Emission Unit: U-00001

Emission Unit Description:

THIS UNIT CONSISTS OF THE CENTRAL BOILER PLANT'S THREE TRI-FUEL BOILERS. THE BOILERS COMBUST NO. 6 OIL, NO. 2 OIL OR NATURAL GAS TO PRODUCE STEAM FOR SPACE HEATING. THE BOILERS UTILIZE LOW-NOX BURNERS WHEN COMBUSTING NATURAL GAS.

Building(s): 59

Item 39.2:

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

Emission Unit: U-G0001

Emission Unit Description:



Item 42.3:

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

Emission Unit: U-00001

Process: 003

Source Classification Code: 1-03-006-02

Process Description:

PROCESS 003 IS THE COMBUSTION OF NATURAL GAS TO PRODUCE STEAM FOR SPACE HEATING. THIS UNIT USES LOW-NOX BURNERS WHEN COMBUSTING NATURAL GAS. THIS PROCESS IS ALSO CONDUCTED IN EXEMPT BOILERS LOCATED AT THIS FACILITY.

Emission Source/Control: 0S001 - Combustion

Design Capacity: 20.875 million Btu per hour

Emission Source/Control: 0S002 - Combustion

Design Capacity: 20.875 million Btu per hour

Emission Source/Control: 0S003 - Combustion

Design Capacity: 20.875 million Btu per hour

Item 42.4:

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

Emission Unit: U-00001

Process: C01

Source Classification Code: 1-02-002-24

Process Description:

This process contained four Coal operated Boilers that in the past were used to heat the facility, and that were shutdown in February 28, 1995. These units allowed the facility to obtain Emission Reduction Credits.

Emission Source/Control: C0001 - Combustion

Design Capacity: 25 million Btu per hour

Removal Date: 09/01/1994

Emission Source/Control: C0002 - Combustion

Design Capacity: 25 million Btu per hour

Removal Date: 09/01/1994

Emission Source/Control: C0003 - Combustion

Design Capacity: 25 million Btu per hour

Removal Date: 09/01/1994

Emission Source/Control: C0004 - Combustion

Design Capacity: 25 million Btu per hour

Item 42.5:

New York State Department of Environmental Conservation

Permit ID: 6-3016-00043/00005

Facility DEC ID: 6301600043



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

Emission Unit: U-G0001

Process: 004

Source Classification Code: 2-02-004-01

Process Description:

PROCESS 004 IS THE COMBUSTION OF
DISTILLATE OIL (DIESEL) TO PRODUCE
ELECTRICAL ENERGY IN LARGE BORE STATIONARY
INTERNAL COMBUSTION ENGINES. THIS PROCESS
IS ALSO CONDUCTED IN TWO EXEMPT (SMALL
BORE) GENERATORS LOCATED AT THIS FACILITY.

Emission Unit: U-G0001 - Combustion

Design Capacity: 2,000 kilowatts