



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 7-3126-00018/00197
Mod 0 Effective Date: 08/16/2001 Expiration Date: No expiration date.
Mod 1 Effective Date: 04/04/2008 Expiration Date: No expiration date.
Mod 2 Effective Date: 05/27/2008 Expiration Date: No expiration date.

Permit Issued To: CARRIER CORP
CARRIER PKWY BOX 4808 TR4
SYRACUSE, NY 13221

Contact: CARRIER CORP
CARRIER PKWY BOX 4808 TR4
SYRACUSE, NY 13221

Facility: CARRIER CORPORATION
CARRIER PKWY
SYRACUSE, NY 13221

Description:
Permit modification to remove shut down and/or dismantled emission units.

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: JOANNE L MARCH
DIVISION OF ENVIRONMENTAL PERMITS
615 ERIE BLVD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
 - Applications for permit renewals, modifications and transfers
 - Permit modifications, suspensions or revocations by the Department
 - 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 7 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 7 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 2-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 2-1.1:

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

Item 2-1.2:

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

Item 2-1.3:

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

Condition 2-2: Permit modifications, suspensions or revocations by the Department



Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:

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

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

Condition 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6NYCRR 621.13(a)

Item 3.1:

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

Item 3.2:

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

Condition 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. The grounds for modification, suspension or revocation include:

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

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 7 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 7 Headquarters
Division of Environmental Permits
615 Erie Blvd West
Syracuse, NY 13204-2400
(315) 426-7400

**Condition 2-3: Submission of application for permit modification or renewal-REGION 7
HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)**

Item 2-3.1:

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

NYSDEC Regional Permit Administrator
Region 7 Headquarters
Division of Environmental Permits
615 Erie Blvd West
Syracuse, NY 13204-2400
(315) 426-7400



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: CARRIER CORP
CARRIER PKWY BOX 4808 TR4
SYRACUSE, NY 13221

Facility: CARRIER CORPORATION
CARRIER PKWY
SYRACUSE, NY 13221

Authorized Activity By Standard Industrial Classification Code:
4225 - GENERAL WAREHOUSING & STORAGE
8733 - NONCOMMERCIAL RESEARCH ORGANIZATIONS

Mod 0 Permit Effective Date: 08/16/2001

Permit Expiration Date: No expiration date.

Mod 2 Permit Effective Date: 05/27/2008

Permit Expiration Date: No expiration date.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
 - Applications for permit renewals, modifications and transfers
 - Permit modifications, suspensions or revocations by the Department
 - 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 7 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 7 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 2-1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2-2 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 2-3 6NYCRR 200.7: Maintenance of Equipment
- 2-4 6NYCRR 201-1.7: Recycling and Salvage
- 2-5 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 2-6 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 2-7 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 2-8 6NYCRR 202-1.1: Required Emissions Tests
- 2-9 6NYCRR 211.3: Visible Emissions Limited
- 2-10 6NYCRR 201-7.1: Facility Permissible Emissions
- *2-11 6NYCRR 201-7.1: Capping Monitoring Condition
- *2-12 6NYCRR 201-7.1: Capping Monitoring Condition
- 2-13 6NYCRR 225-1.2(d): Compliance Demonstration

Emission Unit Level

EU=B-OILER,Proc=010

- 2-14 6NYCRR 227.2(b)(1): Compliance Demonstration

EU=B-OILER,EP=00101,Proc=007

- 2-15 6NYCRR 227-1.3(a): Compliance Demonstration

EU=B-OILER,EP=00101,Proc=010

- 2-16 6NYCRR 227-1.3(a): Compliance Demonstration

EU=B-OILER,EP=00102,Proc=007

- 2-17 6NYCRR 227-1.3(a): Compliance Demonstration

EU=B-OILER,EP=00102,Proc=010

- 2-18 6NYCRR 227-1.3(a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS



Facility Level

- 2-19 ECL 19-0301: Contaminant List
- 2-20 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 33 6NYCRR 201-5: General Provisions
- 34 6NYCRR 201-5: Permit Exclusion Provisions
- 35 6NYCRR 201-5: Emission Unit Definition
- 37 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 38 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 39 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

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

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

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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



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

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

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

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

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department

within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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



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

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

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

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

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

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

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

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

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

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air



pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

FEDERAL APPLICABLE REQUIREMENTS



The following conditions are federally enforceable.

Condition 2-1: Acceptable Ambient Air Quality
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 200.6

Item 2-1.1:

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.

Condition 2-2: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 215

Item 2-2.1:

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

Condition 2-3: Maintenance of Equipment
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 200.7

Item 2-3.1:

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

Condition 2-4: Recycling and Salvage
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-1.7

Item 2-4.1:

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 the ECL.

Condition 2-5: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-1.8

Item 2-5.1:



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.

Condition 2-6: Exempt Sources - Proof of Eligibility
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-3.2(a)

Item 2-6.1:

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 this Subpart. 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 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.

Condition 2-7: Trivial Sources - Proof of Eligibility
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-3.3(a)

Item 2-7.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 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.

Condition 2-8: Required Emissions Tests
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 202-1.1

Item 2-8.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 2-9: Visible Emissions Limited
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 211.3

Item 2-9.1:

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.

Condition 2-10: Facility Permissible Emissions
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.1

Item 2-10.1:

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

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

CAS No: 007446-09-5 (From Mod 2) PTE: 199,800 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0 (From Mod 2) PTE: 199,800 pounds per year
Name: OXIDES OF NITROGEN

Condition 2-11: Capping Monitoring Condition
Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.1

Item 2-11.1:

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

6NYCRR 201-6.1(a)

Item 2-11.2:

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

Item 2-11.3:

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 2-11.4:

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 2-11.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which



the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-11.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 2-11.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Facility sulfur dioxide emissions shall not exceed 99.9 tons over any twelve (12) consecutive month period. Compliance shall be determined by recording the volume of fuel burned daily in the stationary combustion units and subsequently calculating the rolling 12-month totals each month. The facility shall use the maximum allowed sulfur content (1.5%) in calculating monthly SO₂ emissions (or actual sulfur content in the event of noncompliance with this limit), unless an alternative method based on actual sulfur content is approved by DEC.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL CONSUMPTION

Upper Permit Limit: 99.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 2-12: Capping Monitoring Condition

Effective between the dates of 05/27/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7.1

Item 2-12.1:

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

6NYCRR 201-6.1(a)

Item 2-12.2:

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

Item 2-12.3:



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 2-12.4:

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 2-12.5:

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

Item 2-12.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2-12.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Facility oxides of nitrogen emissions shall not exceed 99.9 tons over any twelve (12) consecutive month period. Compliance shall be determined by recording the volume of fuel burned daily in the stationary combustion units and subsequently calculating the rolling 12-month totals each month. NOx emissions shall be calculated using emission factors based on the most recent stack test data, unless an alternative method has been approved by DEC.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL CONSUMPTION

Upper Permit Limit: 99.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MINIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 2-13: Compliance Demonstration

Effective between the dates of 05/27/2008 and Permit Expiration Date

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



Item 2-13.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 2-13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Sulfur content of fuel oil burned at the facility shall not exceed 1.5% by weight as per Part 225-1.2(d), Table 2.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: 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: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

**** Emission Unit Level ****

Condition 2-14: Compliance Demonstration

Effective between the dates of 05/27/2008 and Permit Expiration Date

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

Item 2-14.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILER

Process: 010

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 2-14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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.
- 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: UPON REQUEST BY REGULATORY AGENCY

Condition 2-15: Compliance Demonstration

Effective between the dates of 05/27/2008 and Permit Expiration Date

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

Item 2-15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILER

Emission Point: 00101

Process: 007

Item 2-15.2:

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
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-16: Compliance Demonstration
Effective between the dates of 05/27/2008 and Permit Expiration Date

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

Item 2-16.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILER Emission Point: 00101
Process: 010

Item 2-16.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any



Emission Unit: B-OILER
Process: 010

Emission Point: 00102

Item 2-18.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

New York State Department of Environmental Conservation

Permit ID: 7-3126-00018/00197

Facility DEC ID: 7312600018





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.



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 33: General Provisions
Effective between the dates of 08/16/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 33.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 33.2:

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.

Item 33.3:

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.

Condition 34: Permit Exclusion Provisions
Effective between the dates of 08/16/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 34.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 35: Emission Unit Definition
Effective between the dates of 08/16/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 35.1(From Mod 2):

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

Emission Unit: B-OILER

Emission Unit Description:

Emission Unit is located in TR-10 and consists of four dual fueled boilers manufactured by Riley Stoker Corporation. The boilers can fire natural gas or no. 6 fuel oil. Boilers 1, 2, 3 are discharged through a common breeching and stack. Full description of boilers and operation data included in previous permit application #00101 and #00102.

Building(s): TR10

Condition 37: Air pollution prohibited
Effective between the dates of 08/16/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 37.1:

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 38: Emission Point Definition By Emission Unit
Effective between the dates of 08/16/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 38.1(From Mod 2):

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

Emission Unit: B-OILER

Emission Point: 00101
Height (ft.): 175

Diameter (in.): 96

Building: TR10

Emission Point: 00102
Height (ft.): 110

Diameter (in.): 72

Building: TR10

Condition 39: Process Definition By Emission Unit
Effective between the dates of 08/16/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 39.1(From Mod 2):

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

Emission Unit: B-OILER

Process: 007

Process Description:

Four dual fueled boilers burning natural gas, producing steam for a building heat process cleaning, test cell conditioning and for a turbine generator to test run chillers. Boilers 1, 2, 3 have a rated steam output production capacity of 60,000 lbs/hr. Boiler #4 has a rated steam output production capacity of 90,000 lbs/hr.

Emission Source/Control: B1001 - Combustion

Emission Source/Control: B1002 - Combustion

Emission Source/Control: B1003 - Combustion

Emission Source/Control: B1004 - Combustion



Item 39.2(From Mod 2):

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

Emission Unit: B-OILER

Process: 010

Process Description: Four dual-fired boilers burning #6 fuel oil.

Emission Source/Control: B1001 - Combustion

Emission Source/Control: B1002 - Combustion

Emission Source/Control: B1003 - Combustion

Emission Source/Control: B1004 - Combustion

New York State Department of Environmental Conservation

Permit ID: 7-3126-00018/00197

Facility DEC ID: 7312600018

