



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-0704-00029/00018  
Effective Date: 08/06/2012                      Expiration Date: No expiration date

Permit Issued To: NYS DEPT OF CORRECTIONS AND COMMUNITY SUPERVISION  
BLDG 2 - STATE OFFICE BUILDING CAMPUS  
1220 WASHINGTON AVE  
ALBANY, NY 12226-2050

Contact: KEITH D RUPERT  
NYS DEPT OF CORRECTIONAL SERVICES  
1220 WASHINGTON AVE  
ALBANY, NY 12226  
(518) 485-5576

Facility: NYS ELMIRA CORRECTIONAL FACILITY  
DAVIS ST  
ELMIRA, NY 14902

Contact: PETER BUZZETTI  
NYS ELMIRA CORRECTIONAL FACILITY  
DAVIS ST - BOX 500  
ELMIRA, NY 14902-0500  
(607) 734-3901

Description:  
Air State Facility Permit to replace the Title V Facility Permit for emissions from four natural gas or #6 fuel oil fired 38.5 million BTU per hour powerhouse boilers; aluminum smelting, pouring, and casting operations; residential furnaces; adhesives used in paint brush manufacturing; and five diesel powered generators. The diesel generators are used in the Coordinated Energy Demand Response Program (CDRP) and for emergency facility power.

The Elmira Correctional Facility was previously subject to 6 NYCRR Part 201-6, (Title V) due to potential emissions of SO<sub>2</sub>, CO, and NO<sub>x</sub>, in excess of 100 tons per year each.

This Permit includes conditions to restrict facility emissions of NO<sub>x</sub>, CO, and SO<sub>2</sub> to below their 100 ton per year Title V thresholds, and also the 100 ton per year NO<sub>x</sub> threshold of Part 227-2 Reasonably Available Control Technology (RACT) for Major Facilities of NO<sub>x</sub>, by placing limits on facility fuel use.

Fuel use for the four powerhouse boilers is limited to 1040 million cubic feet of



natural gas and 400,000 gallons of #6 fuel oil per year, the facility residential furnaces are limited to 50,000 gallons of #2 fuel oil per year, and the five diesel generators are limited to 42,000 gallons of diesel fuel per year.

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:           SCOTT SHEELEY  
  NYS DEC  
  6274 E AVON-LIMA RD  
  AVON, NY 14414

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
  - Permit modifications, suspensions or revocations by the Department

**Facility Level**

- Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS



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

**Condition 1: Facility Inspection by the Department**

**Applicable State Requirement: ECL 19-0305**

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**

**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**

**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



**Condition 4: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 4.1:**

The Department reserves the right to exercise all available authority 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 5: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 5.1:**

The Department reserves the right to exercise all available authority 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 6: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 6.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 8 Headquarters  
Division of Environmental Permits  
6274 Avon-Lima Road  
Avon, NY 14414-9519  
(585) 226-2466



**New York State Department of Environmental Conservation**

Permit ID: 8-0704-00029/00018

Facility DEC ID: 8070400029



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: NYS DEPT OF CORRECTIONS AND COMMUNITY SUPERVISION  
BLDG 2 - STATE OFFICE BUILDING CAMPUS  
1220 WASHINGTON AVE  
ALBANY, NY 12226-2050

Facility: NYS ELMIRA CORRECTIONAL FACILITY  
DAVIS ST  
ELMIRA, NY 14902

Authorized Activity By Standard Industrial Classification Code:  
9223 - CORRECTIONAL INSTITUTIONS

Permit Effective Date: 08/06/2012  
date.

Permit Expiration Date: No expiration  
date.



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 200.7: Maintenance of Equipment
- 3 6 NYCRR 201-1.7: Recycling and Salvage
- 4 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 5 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 6 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 7 6 NYCRR 202-1.1: Required Emissions Tests
- 8 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 9 6 NYCRR 201-7.1: Facility Permissible Emissions
- \*10 6 NYCRR 201-7.1: Capping Monitoring Condition
- \*11 6 NYCRR 201-7.1: Capping Monitoring Condition
- 12 6 NYCRR 211.1: Air pollution prohibited
- 13 6 NYCRR 225-1.2 (a) (2): Compliance Demonstration
- 14 6 NYCRR 225-1.8: Compliance Demonstration
- 15 40CFR 60, NSPS Subpart A: Applicability of Subpart A General Provisions
- 16 40CFR 60, NSPS Subpart IIII: Applicability
- 17 40CFR 63, Subpart JJJJJ: Applicability

#### Emission Unit Level

- 18 6 NYCRR 201-7.1: Emission Unit Permissible Emissions

#### EU=0-0FOUN,EP=00002,Proc=FOU,ES=00F01

- 19 6 NYCRR 212.4 (c): Compliance Demonstration
- 20 6 NYCRR 212.6 (a): Compliance Demonstration
- 21 6 NYCRR 201-7.1: Process Permissible Emissions

#### EU=0-0MAIN

- \*22 6 NYCRR 201-7.1: Capping Monitoring Condition
- \*23 6 NYCRR 201-7.1: Capping Monitoring Condition
- 24 40CFR 63, Subpart A: MACT General Provisions - emission unit level

#### EU=0-0MAIN,EP=00001,Proc=OIL

- 25 6 NYCRR 227-1.3: Compliance Demonstration

#### EU=2-GENER

- \*26 6 NYCRR 201-7.1: Capping Monitoring Condition

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 27 ECL 19-0301: Contaminant List
- 28 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 29 6 NYCRR Subpart 201-5: Emission Unit Definition
- 30 6 NYCRR 211.2: Visible Emissions Limited
- 31 6 NYCRR 225-1.2 (a) (2): Compliance Demonstration

#### Emission Unit Level

- 32 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit



33 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

**EU=0-0MAIN**

34 6 NYCRR 227-1.2 (a) (2): Compliance Demonstration

**EU=3-INDUS,Proc=ONE**

35 6 NYCRR 212.4 (a): Compliance Demonstration

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 - 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 201-1.2**

If an existing emission source was subject to the permitting requirements of 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 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 - 6 NYCRR 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 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 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 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 6 NYCRR Subpart 202-1.

**Item K: Open Fires Prohibitions - 6 NYCRR 215.2**

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

**Item L: 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 M: 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: Acceptable Ambient Air Quality**



**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.6**

**Item 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: Maintenance of Equipment**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 200.7**

**Item 2.1:**

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 3: Recycling and Salvage**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-1.7**

**Item 3.1:**

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 4: Prohibition of Reintroduction of Collected Contaminants to the air**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-1.8**

**Item 4.1:**

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 5: Exempt Sources - Proof of Eligibility**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 5.1:**

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 6: Trivial Sources - Proof of Eligibility**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 6.1:**

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 7: Required Emissions Tests**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 7.1:**

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.

**Condition 8: Recycling and Emissions Reduction**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 82, Subpart F**

**Item 8.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

**Condition 9: Facility Permissible Emissions**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 9.1:**

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: 195,500 pounds per year

Name: OXIDES OF NITROGEN

**Condition 10: Capping Monitoring Condition**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 201-7.1**

**Item 10.1:**

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:

6 NYCRR Subpart 201-6

6 NYCRR Subpart 227-2

**Item 10.2:**

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

**Item 10.3:**

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 10.4:**

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 10.5:**

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 10.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 10.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Oxides of nitrogen emission are capped at 195500 pounds per year. Emissions will be monitored through tracking monthly fuel usage and entered into a twelve month rolling average. As the default, emissions will be derived from calculations using USEPA AP-42 emission factors. If more accurate, equipment specific emission factors are available, they will be used to calculate actual emissions. Examples of equipment specific emission factors are 1) documented data provided from testing by equipment manufactureres or 2) stack testing of individual equipment, operating as installed, using USEPA 40 CFR 60 Appendix A test methods.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

**Condition 11: Capping Monitoring Condition**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 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:

6 NYCRR Subpart 201-6

6 NYCRR Subpart 227-2

**Item 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 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 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 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 11.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 11.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

Facility shall burn no more than 50000 gallons of #2 fuel oil per year. Number 2 fuel oil is used in several residential furnaces throughout the facility. These furnaces are exempt from permitting, but their emissions must be counted towards determining compliance with the facility cap on oxides of nitrogen. The # 2 fuel oil use will be monitored monthly and entered into a twelve month rolling average.

Parameter Monitored: FUEL OIL

Upper Permit Limit: 50000 gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

**Condition 12: Air pollution prohibited**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 12.1:**

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.



**Condition 13: Compliance Demonstration**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 13.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent

Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

**Condition 14: Compliance Demonstration**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 225-1.8**

**Item 14.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 14.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An owner or operator of a facility which purchases and fires coal and/or fuel oil shall compile and retain records of the following information:

a. fuel analyses and data on the quantities of all residual and distillate oil and coal received, burned or





**Applicable Federal Requirement:40CFR 63, Subpart JJJJJJ**

**Item 17.1:**

Facilities that are area sources of HAP with industrial, commercial, or institutional boilers must comply with applicable portions of 40 CFR 63 JJJJJJ.

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

**Condition 18: Emission Unit Permissible Emissions**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 18.1:**

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: 0-0MAIN

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 30 pounds per hour

195,500 pounds per year

**Condition 19: Compliance Demonstration**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 212.4 (c)**

**Item 19.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0FOUN

Emission Point: 00002

Process: FOU

Emission Source: 00F01

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. The Department reserves the right to perform or require the performance of a Method 5 emissions evaluation at any time.



The permittee will conduct compliance observations during operation at the monitoring frequency stated below.

These observations include pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure this source to be in compliance with the particulate emission rate.

Additionally, the permittee will immediately investigate any instance where there is cause to believe that particulate emissions above 0.05 gr/dscf are occurring or have occurred from a process source. These instances include but are not limited to process upsets, control device malfunctions or problems, abnormal visible emissions, complaints, etc. During these instances the permittee shall determine the cause, make the necessary correction, and verify that the excess emissions problem has been corrected.

Records of these observations, investigations and corrective actions will be kept on-site in a format acceptable to the Department and the semiannual progress report and annual compliance certifications required of all permittees subject to Title V must include a summary of these instances.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 20: Compliance Demonstration**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement: 6 NYCRR 212.6 (a)**

**Item 20.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0FOUN

Emission Point: 00002

Process: FOU

Emission Source: 00F01

**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

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

New York State Department of Environmental Conservation

Permit ID: 8-0704-00029/00018

Facility DEC ID: 8070400029



Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions when the process is in operation. If any visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: EPA Method 9  
Monitoring Frequency: DAILY  
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 21: Process Permissible Emissions**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 21.1:**

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 0-0MAIN Process: GAS  
CAS No: 0NY210-00-0  
Name: OXIDES OF NITROGEN  
PTE(s): 25 pounds per hour 195,500 pounds per year

**Condition 22: Capping Monitoring Condition**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 22.1:**

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:

6 NYCRR Subpart 201-6  
6 NYCRR Subpart 227-2

**Item 22.2:**

Operation of this facility shall take place in accordance with the approved criteria, emission



limits, terms, conditions and standards in this permit.

**Item 22.3:**

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 22.4:**

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 22.5:**

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 22.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Regulated Contaminant(s):

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

**Item 22.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility shall burn no more than 1040 million cubic feet of natural gas per year in the four 38.5 million Btu per hr. boilers located in the powerhouse. Monitoring will be on a rolling 12 month average for total gas usage in millions of cubic feet.

Parameter Monitored: NATURAL GAS

Upper Permit Limit: 1040 million cubic feet

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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



**Condition 23: Capping Monitoring Condition**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 23.1:**

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:

6 NYCRR Subpart 201-6

6 NYCRR Subpart 227-2

**Item 23.2:**

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

**Item 23.3:**

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 23.4:**

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 23.5:**

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 23.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Regulated Contaminant(s):

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

**Item 23.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

**New York State Department of Environmental Conservation**

Permit ID: 8-0704-00029/00018

Facility DEC ID: 8070400029



**Monitoring Description:**

The facility shall burn no more than 400000 gallons of #6 fuel oil per year in the four 38.5 million Btu per hr. boilers located in the powerhouse. Monitoring will be on a rolling 12 month average for total oil usage in gallons.

Parameter Monitored: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Upper Permit Limit: 400000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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

**Condition 24: MACT General Provisions - emission unit level  
Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 63, Subpart A**

**Item 24.1:**

This Condition applies to Emission Unit: 0-0MAIN

**Item 24.2:**

This emission unit is subject to the applicable provisions of 40 CFR 63 Subpart A. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

**Condition 25: Compliance Demonstration  
Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 25.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Emission Point: 00001

Process: OIL

**Item 25.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This



observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

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

- date and time of day
- observer's name
- identity of emission point
- weather condition
- was a plume observed?

Incident weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

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

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

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

Reference Test Method: Method 9

Monitoring Frequency: DAILY

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 1/30/2013.



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

**Condition 26: Capping Monitoring Condition**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable Federal Requirement:6 NYCRR 201-7.1**

**Item 26.1:**

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:

6 NYCRR Subpart 201-6  
6 NYCRR Subpart 227-2

**Item 26.2:**

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

**Item 26.3:**

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 26.4:**

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 26.5:**

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 26.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-GENER

Regulated Contaminant(s):

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

**Item 26.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

**New York State Department of Environmental Conservation**

**Permit ID: 8-0704-00029/00018**

**Facility DEC ID: 8070400029**



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

Monitoring Description:

The facility shall burn no more than 42000 gallons of diesel fuel per year. Diesel fuel is used in five internal combustion generators. Fuel use will be monitored monthly and entered into a twelve month rolling average.

Parameter Monitored: DIESEL FUEL

Upper Permit Limit: 42000 gallons

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2013.

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



**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 - 6 NYCRR 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 27: Contaminant List**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 27.1:**

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

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

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

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

**Condition 28: Unavoidable noncompliance and violations**

**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 28.1:**

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

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

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective



action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded 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 29: Emission Unit Definition**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 29.1:**

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

Emission Unit: 0-0FOUN

Emission Unit Description:

Aluminum smelting, pouring and casting operations  
processing approximately 250 tons per year.

Building(s): FOUNDRY

**Item 29.2:**

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

Emission Unit: 0-0MAIN

Emission Unit Description:

Four 38.5 MMBtu/hr boilers firing No. 6 fuel oil and  
natural gas are located in the BOILER HOUSE. The boilers  
were installed in 1972. NSPS does not apply to the  
boilers. The boilers vent to a common stack.

Building(s): 28

**Item 29.3:**

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

Emission Unit: 2-GENER

Emission Unit Description:

Five diesel generators are used for emergency power and



for Coordinated Energy Demand Response Program (CDRP).

Building(s): 28  
7  
77

**Item 29.4:**

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

Emission Unit: 3-INDUS

Emission Unit Description:

Paint brush manufacturing shop.

**Condition 30: Visible Emissions Limited**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 30.1:**

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 31: Compliance Demonstration**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 31.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 31.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall use, purchase, sell, or offer for sale any residual fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: 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: ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.

**New York State Department of Environmental Conservation**

Permit ID: 8-0704-00029/00018

Facility DEC ID: 8070400029



The initial report is due 1/30/2013.  
Subsequent reports are due every 12 calendar month(s).

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

**Condition 32: Emission Point Definition By Emission Unit**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 32.1:**

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

Emission Unit: 0-0FOUN

Emission Point: 00002

Height (ft.): 13

Diameter (in.): 10

NYTMN (km.): 4664.037 NYTME (km.): 348.539 Building: FOUNDRY

**Item 32.2:**

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

Emission Unit: 0-0MAIN

Emission Point: 00001

Height (ft.): 160

Diameter (in.): 120

NYTMN (km.): 4664.315 NYTME (km.): 348.66 Building: 28

**Item 32.3:**

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

Emission Unit: 3-INDUS

Emission Point: 00007

Height (ft.): Length (in.): Width (in.):

NYTMN (km.): 4664.2 NYTME (km.): 348.7

Emission Point: 00008

Height (ft.): Length (in.): Width (in.):

NYTMN (km.): 4664.2 NYTME (km.): 348.7

**Condition 33: Process Definition By Emission Unit**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

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

**Item 33.1:**

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

Emission Unit: 0-0FOUN

**New York State Department of Environmental Conservation**

Permit ID: 8-0704-00029/00018

Facility DEC ID: 8070400029



Process: FOU Source Classification Code: 3-04-001-02

Process Description:

Aluminum smelting and casting operations producing approximately 250 tons per year of product.

Emission Source/Control: 00F01 - Process

**Item 33.2:**

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

Emission Unit: 0-0MAIN

Process: GAS

Source Classification Code: 1-03-006-02

Process Description:

Four 38.5 MMBtu/hr boilers firing natural gas as a primary fuel.

Emission Source/Control: 00B01 - Combustion

Design Capacity: 38.5 million Btu per hour

Emission Source/Control: 00B02 - Combustion

Design Capacity: 38.5 million Btu per hour

Emission Source/Control: 00B03 - Combustion

Design Capacity: 38.5 million Btu per hour

Emission Source/Control: 00B04 - Combustion

Design Capacity: 38.5 million Btu per hour

**Item 33.3:**

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

Emission Unit: 0-0MAIN

Process: OIL

Source Classification Code: 1-03-004-02

Process Description:

Four 38.5 MMBtu/hr boilers firing No. 6 oil as a secondary fuel.

Emission Source/Control: 00B01 - Combustion

Design Capacity: 38.5 million Btu per hour

Emission Source/Control: 00B02 - Combustion

Design Capacity: 38.5 million Btu per hour

Emission Source/Control: 00B03 - Combustion

Design Capacity: 38.5 million Btu per hour

Emission Source/Control: 00B04 - Combustion

Design Capacity: 38.5 million Btu per hour

**Item 33.4:**

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



Emission Unit: 2-GENER  
Process: GEN  
Process Description:  
Five generators burn diesel fuel to provide emergency power and energy demand response. The facility shall use no more than 42000 gallons of diesel fuel per year.

Emission Source/Control: 00G01 - Combustion  
Design Capacity: 1,825 kilowatts

Emission Source/Control: 00G02 - Combustion  
Design Capacity: 1,825 kilowatts

Emission Source/Control: 00G03 - Combustion  
Design Capacity: 300 kilowatts

Emission Source/Control: 00G04 - Combustion  
Design Capacity: 30 kilowatts

Emission Source/Control: 00G05 - Combustion  
Design Capacity: 125 kilowatts

**Item 33.5:**

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

Emission Unit: 3-INDUS  
Process: ONE Source Classification Code: 4-02-007-01  
Process Description:  
Mix and apply adhesives manufacturing paint brushes and rollers.

Emission Source/Control: 00C01 - Process  
Design Capacity: 2,000 cubic feet per minute

Emission Source/Control: 00C02 - Process  
Design Capacity: 2,000 cubic feet per minute

**Condition 34: Compliance Demonstration**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable State Requirement: 6 NYCRR 227-1.2 (a) (2)**

**Item 34.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

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

**Item 34.2:**

Compliance Demonstration shall include the following monitoring:

**New York State Department of Environmental Conservation**

Permit ID: 8-0704-00029/00018

Facility DEC ID: 8070400029



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a boiler or combination of boilers (connected to the same emission point) with a maximum heat input exceeding 50 mmBtu per hour but no greater than 250 mmBtu per hour firing oil, other than distillate oil.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.20 pounds per million Btus

Reference Test Method: Method 5 / Method 17

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 35: Compliance Demonstration**  
**Effective between the dates of 08/06/2012 and Permit Expiration Date**

**Applicable State Requirement:6 NYCRR 212.4 (a)**

**Item 35.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 3-INDUS

Process: ONE

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

**Item 35.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Total adhesive and solvent usage shall be recorded weekly and a rolling 12 month average shall be recorded monthly.

Monitoring Frequency: WEEKLY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

