

New York State Department of Environmental Conservation
Facility DEC ID: 8183800007



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 8-1838-00007/00035
Effective Date: 05/16/2001 Expiration Date: 05/16/2006

Permit Issued To: U S GYPSUM CO
125 SOUTH FRANKLIN ST.
CHICAGO, IL 60606-4301

Contact: FRANK P. MAY
125 SOUTH FRANKLIN ST.
CHICAGO, IL 60606-4301
(312) 606-3770

Facility: U S GYPSUM CO OAKFIELD PLANT
2844 JUDGE RD
OAKFIELD, NY 14125

Contact: MICHAEL PEDRO
US GYPSUM CO
PO BOX 139 2844 JUDGE RD
OAKFIELD, NY 14125-0139
(716) 948-5221

Description:

Initial Title V Facility permit for an existing paper mill producing paper backing for the production of gypsum wall board.

This permit includes a 6 NYCRR Part 227 NOx RACT Variance originally granted by the Department in 1997, to allow operation of the cogeneration unit referenced below without emission controls. The variance is based on costs of NOx emission control in excess of \$3000 per ton, and restricts total emissions of NOx to 126 tons in any 12 month period.

Emission units include:

U-COGEN, consisting of emission points exhausting a 71.5 MMbtu/hr gas turbine generator, a 65 MMbtu/hr process steam boiler, and 9 dryer hood exhaust emission points;

U-FUGTP, consisting of fugitive emissions (no specific emission points) from an industrial wastewater treatment plant;

U-PAPER, consisting of fugitive emissions from the paper making process; and

U-MKHTR, consisting of an 11.74 MMbtu/hr heating system.

FINAL

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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: PETER A. LENT
6274 EAST AVON LIMA RD
AVON, NY 14414-9519

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other 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, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 8
HEADQUARTERS



DEC GENERAL CONDITIONS

****** General Provisions ******

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305.

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

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

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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 8 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 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(716) 226-2466



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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Authorized Activity By Standard Industrial Classification Code:
2631 - PAPERBOARD MILLS
4952 - SEWERAGE SYSTEMS



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Permit Effective Date: 05/16/2001

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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 1: Sealing

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

(a) 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 labelling 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.

(b) 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.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 2: Acceptable ambient air quality

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

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 3: Maintenance of equipment

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 200.7

Item 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.



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Condition 4: Unpermitted Emission Sources
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

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.

Condition 5: Unavoidable Noncompliance and Violations
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 5.1:

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 or certificate issued for the corresponding air contamination source. 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.



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(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.

Condition 6: Emergency Defense
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

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.

Condition 7: Recycling and Salvage
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-1.7



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Item 7.1:

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 6 NYCRR.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

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 9: Public Access to Recordkeeping for Title V facilities

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 9.1:

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Condition 10: Proof of Eligibility

Effective between the dates of 05/16/2001 and 05/16/2006

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

Item 10.1:

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 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.

Condition 11: Proof of Eligibility

Effective between the dates of 05/16/2001 and 05/16/2006

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

Item 11.1:

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



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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.

Condition 12: Applicable Criteria, Limits, Terms, Conditions and Standards
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 12.1:

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

- i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or
- ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 12.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

Condition 13: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 13.1:

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Condition 14: Compliance Requirements
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.



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Item 14.1:

The following information must be included in any required compliance monitoring records and reports:

- i. The date, place and time of sampling or measurements;
- ii. The date(s) analyses were performed;
- iii. The company or entity that performed the analyses;
- iv. The analytical techniques or methods used including quality assurance and quality control procedures if required;
- v. The results of such analyses including quality assurance data where required; and
- vi. The operating conditions as existing at the time of sampling or measurement;

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by the responsible official, consistent with Section 201-6.3 of Part 201.

Item 14.2:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

Item 14.3:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 15: Federally-Enforceable Requirements
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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



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only state regulations.

Condition 16: Fees

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

The permittee shall pay the required fees associated with this permit.

Condition 17: Monitoring, Related Recordkeeping and Reporting Requirements

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 18: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 19: Permit Shield

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.



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Item 19.1:

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield. For those facilities for which a permit shield has been granted, compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Condition 20: Property Rights

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

This permit does not convey any property rights of any sort or any exclusive privilege.

Condition 21: Reopening for Cause

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

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Item 21.1:

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.



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ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Item 21.2:

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Item 21.3:

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Condition 22: Right to Inspect

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 22.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 23: Severability

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:



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If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Condition 24: Emission Unit Definition
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

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

Emission Unit: U-COGEN

Emission Unit Description:

TURBINE/BOILER UNIT CONSISTS OF 11
EMISSION POINTS (9 DRYER HOOD EXHAUST, 1
BYPASS STACK & 1 BOILER STACK) WHICH SERVES
AS EXHAUST VENTILATION FOR TURBINE/BOILER
UNIT.

Building(s): COGEN
PAPER MILL

Item 24.2:

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

Emission Unit: U-FUGTP

Emission Unit Description:

INDUSTRIAL WASTE WATER TREATMENT PLANT.
EMISSIONS FROM THIS UNIT ARE OF THE
FUGITIVE TYPE.

Building(s): WWTP

Item 24.3:

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

Emission Unit: U-MKHTR

Emission Unit Description:

House Heating system with an 11.74 mmBTU/Hr burner
capacity combusting natural gas and discharging directly
into the building.

Item 24.4:

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

Emission Unit: U-PAPER

Emission Unit Description:

PAPER MACHINE WITH FUGITIVE TYPE EMISSIONS

Condition 25: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

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Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)

Item 25.1:

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

In the case of any condition contained in this permit with 0a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.



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Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 26: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 201-6.5(e)

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Compliance certifications shall contain the following information:

- the identification of each term or condition of the permit that is the basis of the certification;
- the compliance status;
- whether compliance was continuous or intermittent;
- the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
- such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;
- and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office



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and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

6274 East Avon-Lima Road
Avon, NY 14414-9519

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after previous reporting period

Condition 27: Permit Exclusion Provisions
Effective between the dates of 05/16/2001 and 05/16/2006

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

Item 27.1:

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), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

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.



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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 28: Non Applicable requirements
Effective between the dates of 05/16/2001 and 05/16/2006

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

Item 28.1:

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

Condition 29: Required emissions tests
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 29.1:

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.

Condition 30: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 30.1:

The Compliance Certification activity will be performed for the Facility.

Item 30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:



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Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due by April 15th for previous calendar year

Condition 31: Recordkeeping requirements
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 31.1:

(a) The following records shall be maintained for at least five years:

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 32: Visible emissions limited.
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 211.3

Item 32.1:

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 33: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 215.

Item 33.1:

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.

Condition 34: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(2)

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Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall submit a compliance test protocol to the Department for approval at least 90 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the the Department.

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 35: Compliance Certification

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(2)

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of:

- 1) simple cycle combustion turbines shall utilize stack test Method 20 from 40 CFR Part 60, Appendix A;
- 2) combined cycle combustion turbine with a heat input rating of less than or equal to 250 mmBtu/hr shall utilize stack test Method, 7, 7E, 19, or 20 from 40 CFR Part 6, Appendix A; or
- 3) another stack test Method approved by the Department.

Owners or operators of simple cycle combustion turbines or combined cycle combustion turbine with a heat input rate of 250 mmBtu/hr or less shall be required to perform either a stack test or other Department approved method, to determine compliance with their NO_x limit, once per the term of their permit.

Monitoring Frequency: AS REQUIRED - SEE MONITORING



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DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 36: Compliance Certification

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(2)

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of large or mid-size boilers shall utilize stack testing Method 7, 7E, or 19 from 40 CFR Part 60, Appendix A or another reference test method approved by the Department. Large boilers shall be required to stack test once per term of the permit, to determine compliance with their NOx limit. Mid-size boilers are required to perform only an initial stack test, to determine compliance with their NOx limit.

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 37: Recycling and Emissions Reduction

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 37.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with



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recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)

e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.

f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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

**Condition 38: Emission Point Definition By Emission Unit
Effective between the dates of 05/16/2001 and 05/16/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 38.1:

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

Emission Unit: U-COGEN			
Emission Point: 00002	Height (ft.): 80	Diameter (in.): 54	
	NYTMN (km.): 4773.621	NYTME (km.): 231.829	Building: COGEN
Emission Point: 0002A			
	Height (ft.): 80	Diameter (in.): 60	
			Building: COGEN
Emission Point: 0002B			
	Height (ft.): 40	Diameter (in.): 60	
			Building: PAPER MILL
Emission Point: 0002C			
	Height (ft.): 40	Diameter (in.): 60	
			Building: PAPER MILL
Emission Point: 0002D			
	Height (ft.): 40	Diameter (in.): 60	
			Building: PAPER MILL
Emission Point: 0002E			
0	Height (ft.): 40	Diameter (in.): 60	
			Building: PAPER MILL
Emission Point: 0002F			
	Height (ft.): 40	Diameter (in.): 60	



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Building: PAPER MILL

Emission Point: 0002G
Height (ft.): 40

Diameter (in.): 60

Building: PAPER MILL

Emission Point: 0002H
Height (ft.): 40

Diameter (in.): 60

Building: PAPER MILL

Emission Point: 0002I
Height (ft.): 40

Diameter (in.): 60

Building: PAPER MILL

Emission Point: 0002J
Height (ft.): 40

Diameter (in.): 60

Building: PAPER MILL

**Condition 39: Process Definition By Emission Unit
Effective between the dates of 05/16/2001 and 05/16/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 39.1:

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

Emission Unit: U-COGEN

Process: STM

Source Classification Code: 2-02-002-03

Process Description:

THE STEAM REQUIRED IN THE PAPER MAKING
PROCESS IS MANUFACTURED BY CAPTURING THE
WASTE HEAT FROM THE TURBINE AND
SUPPLEMENTING IT WITH HEAT FROM DUCT
BURNERS. ELECTRICITY IS GENERATED BY WAY
OF NATURAL GAS COMBUSTION TURBINE. WASTE
HEAT FROM BOILER IS USED FOR PACKET
VENTILATION IN THE PAPER MACHINE DRYER
SECTION.

Emission Source/Control: BOILR - Combustion

Design Capacity: 65 million Btu per hour

Emission Source/Control: TURBN - Combustion

Design Capacity: 71.5 million Btu per hour

Item 39.2:

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



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Emission Unit: U-PAPER

Process: PPR

Source Classification Code: 3-07-013-99

Process Description:

Paper making process including the use of additives that aid this process.

Emission Source/Control: PAPMC - Process

Condition 40: Emissions from existing sources
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.3(a)

Item 40.1:

This Condition applies to Emission Unit: U-COGEN

Item 40.2:

No person will cause or allow emissions that violate the requirement specified in Table 2, Table 3, or Table 4 of 6NYCRR Part 212 for the environmental rating issued by the commissioner.

Condition 41: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 41.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-COGEN

Regulated Contaminant:

CAS No: 0NY075-00-0

Name: PARTICULATES

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.150 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Limit of Monitoring: 0.15 grains per dscf

Reference Test Method: EPA Method 5



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Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 42: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 42.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-COGEN

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 43: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 227-2.5(c)

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-COGEN



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Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Item 43.2:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

An alternate emission limit is established for this emission unit at the rate of 126 tons of NO_x per year averaged on a twelve month rolling basis. This alternate rate was originally approved by the Department in permit number 8-1838-00007/00022, issued on February 21, 1997. US Gypsum must continue to investigate compliance strategies and must submit to the Department an updated RACT evaluation using the Air Guide 20 Economic and Technical Analysis by February 21, 2002 (five years from original permit issuance). To provide a basis for the analysis, a stack test must also be performed in accordance with EPA Method 7, 7E, 19 or 20 from 40 CFR 60 Appendix A prior to February 21, 2002. This stack test must be performed downstream of the heat recovery boiler.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

**Condition 44: Applicability of General Provisions of 40 CFR 60 Subpart A
Effective between the dates of 05/16/2001 and 05/16/2006**

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 44.1:

This Condition applies to Emission Unit: U-COGEN

Item 44.2:

This emission source is subject to the applicable General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

**Condition 45: EPA Region 2 address.
Effective between the dates of 05/16/2001 and 05/16/2006**

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A



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Item 45.1:

This Condition applies to Emission Unit: U-COGEN

Item 45.2:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Enforcement and Compliance Assurance
625 Broadway
Albany, NY 12233-3254

Condition 46: Recordkeeping requirements.

Effective between the dates of 05/16/2001 and 05/16/2006

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

Item 46.1:

This Condition applies to Emission Unit: U-COGEN

Item 46.2:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 47: Facility files for subject sources.

Effective between the dates of 05/16/2001 and 05/16/2006

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

Item 47.1:

This Condition applies to Emission Unit: U-COGEN

Item 47.2:

The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements;



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all continuous monitoring system evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspection. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 48: Performance test methods.

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A

Item 48.1:

This Condition applies to Emission Unit: U-COGEN

Item 48.2:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

Condition 49: Prior notice.

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.8(d), NSPS Subpart A

Item 49.1:

This Condition applies to Emission Unit: U-COGEN

Item 49.2:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 50: Performance testing facilities.

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.8(e), NSPS Subpart A

Item 50.1:

This Condition applies to Emission Unit: U-COGEN

Item 50.2:

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.



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Condition 51: Number of required tests.
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.8(f), NSPS Subpart A

Item 51.1:

This Condition applies to Emission Unit: U-COGEN

Item 51.2:

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

Condition 52: Availability of information.
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Item 52.1:

This Condition applies to Emission Unit: U-COGEN

Item 52.2:

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

Condition 53: Opacity standard compliance testing.
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A

Item 53.1:

This Condition applies to Emission Unit: U-COGEN

Item 53.2:

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A or this Part 40 CFR 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

Condition 54: Circumvention.
Effective between the dates of 05/16/2001 and 05/16/2006

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Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 54.1:

This Condition applies to Emission Unit: U-COGEN

Item 54.2:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 55: Modifications.

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 55.1:

This Condition applies to Emission Unit: U-COGEN

Item 55.2:

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

Condition 56: Compliance Certification

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.334(b)(2), NSPS Subpart GG

Item 56.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-COGEN

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

By letter from USEPA Region 2 dated May 11, 2001, the following custom fuel monitoring schedule has been determined to be appropriate for fuel nitrogen monitoring:

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"Monitoring of fuel nitrogen shall not be required while natural gas is the only fuel fired in the gas turbine."

Records of fuel supply pertinent to this custom fuel monitoring schedule must be maintained in a form acceptable to the Department, must be retained for a period of five (5) years and must be available for inspection by personnel of federal and state air pollution control agencies.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 57: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.334(b)(2), NSPS Subpart GG

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-COGEN

Regulated Contaminant:

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

Item 57.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

By letter from USEPA Region 2 dated May 11, 2001, the following custom fuel monitoring schedule has been determined to be appropriate for monitoring fuel sulfur content:

A. Analysis for fuel sulfur content of the natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. These reference methods are located in 40 CFR 60.335(d).

B. Effective the date of this custom schedule, sulfur

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monitoring shall be conducted twice monthly for a period of six months. If this monitoring shows little variability in the fuel sulfur content and indicates consistent compliance with 40 CFR 60.333, then fuel sulfur content shall be monitored quarterly for the next six quarters.

C. Upon completion of the six quarterly monitoring periods in Item B, if the fuel sulfur monitoring result show little variability and consistent compliance with 40 CFR 60.333, then fuel sulfur content shall be monitored semiannually. This semiannual monitoring shall be conducted during the first and third quarters of each calendar year.

D. Should any fuel sulfur monitoring, as required by Items B and C above, indicate noncompliance with 40 CFR 60.333, the owner or operator shall notify EPA and the New York State department of Environmental Conservation (NYSDEC) within 15 calendar days of the occurrence(s). Fuel sulfur content monitoring shall be conducted weekly during the interim period while the custom schedule is being re-examined by EPA.

E. Records of sample analysis and fuel supply pertinent to this custom fuel monitoring schedule shall be retained for a period of five (5) years, and be available for inspection by personnel of federal and state air pollution control agencies.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 58: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

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

Item 58.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-COGEN

Process: STM

Regulated Contaminant:



New York State Department of Environmental Conservation

Permit ID: 8-1838-00007/00035

Facility DEC ID: 8183800007

CAS No: 0NY075-00-0

Name: PARTICULATES

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

Upper Limit of Monitoring: 20 percent

Reference Test Method: EPA METHOD 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 59: Compliance Certification

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.332(a)(2), NSPS Subpart GG

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-COGEN

Process: STM

Regulated Contaminant:

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No owner or operator shall discharge to the atmosphere from a stationary gas turbine, emissions of nitrogen oxides in excess of the following:

$$STD = 0.0150 * [(14.4) / Y] + F$$

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Where: STD = allowable nitrogen oxide emissions in percent volume at 15% excess oxygen on a dry basis,

Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour) or the actual measured heat rate based on the lower heating value of the fuel as measured at actual peak load of the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour,

F = nitrogen oxide emission allowance for fuel bound nitrogen:

Fuel bound nitrogen % by weight, where F equals NOx % by volume

$N \leq 0.015 : F = 0$

$0.015 < N \leq 0.1 : 0.04(N)$

$0.1 < N \leq 0.25 : 0.004 + 0.0067(N - 0.1)$

$N > 0.25 : 0.005$

Upper Limit of Monitoring: 186 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: Epa method 20

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 60: Sulfur in fuel standard.

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

Item 60.1:

This Condition applies to Emission Unit: U-COGEN

Process: STM

Emission Source: TURBN

Item 60.2:

No gas turbine shall fire a fuel with more than 0.80% sulfur content.

Condition 61: Excess emissions reporting requirements.

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 40CFR 60.334(c), NSPS Subpart GG



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Facility DEC ID: 8183800007

Item 61.1:

This Condition applies to Emission Unit: U-COGEN
Process: STM Emission Source: TURBN

Item 61.2:

Excess emissions of NO_x, SO₂, ice fog, and emergency fuel use shall be reported quarterly as per the requirements of section 60.7 of this Part.

**Condition 62: Use of Method 20 for determining NO_x and SO₂
Effective between the dates of 05/16/2001 and 05/16/2006**

Applicable Federal Requirement: 40CFR 60.335(c)(3), NSPS Subpart GG

Item 62.1:

This Condition applies to Emission Unit: U-COGEN
Process: STM Emission Source: TURBN

Item 62.2:

Method 20 shall be used for determining the nitrogen oxide, sulfur dioxide, and oxygen concentrations. The span values shall be 300 ppm of nitrogen oxide and 21 percent oxygen. The NO_x emissions shall be determined at each of the following loads; 30, 50, 75, and 100 percent.

**Condition 63: Methods for determining compliance with the sulfur content
standard
Effective between the dates of 05/16/2001 and 05/16/2006**

Applicable Federal Requirement: 40CFR 60.335(d), NSPS Subpart GG

Item 63.1:

This Condition applies to Emission Unit: U-COGEN
Process: STM Emission Source: TURBN

Item 63.2:

The owner or operator shall determine compliance with the sulfur content standard in 40 CFR 60.335(b) as follows:
ASTM D 2880-71 for liquid fuels and ASTM 1072-80, D 3031-81, D 4084-82, or D 3246-81 for gaseous fuels.

**Condition 64: Requirement for analysis of Nitrogen and Sulfur in fuel
Effective between the dates of 05/16/2001 and 05/16/2006**

Applicable Federal Requirement: 40CFR 60.335(e), NSPS Subpart GG

Item 64.1:

This Condition applies to Emission Unit: U-COGEN
Process: STM Emission Source: TURBN

Item 64.2:



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To meet the requirements 40 CFR 60.334(b), the owner or operator shall use methods specified in 40 CFR 335(a) and (d) to determine the nitrogen and sulfur content of fuels being burned. The analysis may be performed by the owner or operator, a service contractor, the fuel vendor, or any qualified agency.

Condition 65: Emissions from existing sources
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.3(a)

Item 65.1:

This Condition applies to Emission Unit: U-FUGTP

Item 65.2:

No person will cause or allow emissions that violate the requirement specified in Table 2, Table 3, or Table 4 of 6NYCRR Part 212 for the environmental rating issued by the commissioner.

Condition 66: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FUGTP

Regulated Contaminant:

CAS No: 0NY075-00-0

Name: PARTICULATES

Item 66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.150 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Limit of Monitoring: 0.15 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED



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Facility DEC ID: 8183800007

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 67: Compliance Certification

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 67.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FUGTP

Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 68: Compliance Certification

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-MKHTR

Regulated Contaminant:

CAS No: 0NY075-00-0

Name: PARTICULATES



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Permit ID: 8-1838-00007/00035

Facility DEC ID: 8183800007

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.150 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Limit of Monitoring: 0.15 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 69: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 69.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-MKHTR

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING

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Facility DEC ID: 8183800007



DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 70: Emissions from existing sources
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.3(a)

Item 70.1:

This Condition applies to Emission Unit: U-PAPER

Item 70.2:

No person will cause or allow emissions that violate the requirement specified in Table 2, Table 3, or Table 4 of 6NYCRR Part 212 for the environmental rating issued by the commissioner.

Condition 71: Compliance Certification
Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.3(b)

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-PAPER

Regulated Contaminant:

CAS No: 0NY075-00-0

Name: PARTICULATES

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.150 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES

Upper Limit of Monitoring: 0.15 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED



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Facility DEC ID: 8183800007

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after every 6 calendar months (January - June, July - December)

Condition 72: Compliance Certification

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable Federal Requirement: 6NYCRR 212.6(a)

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-PAPER

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

Parameter Monitored: OPACITY

Upper Limit of Monitoring: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

New York State Department of Environmental Conservation

Permit ID: 8-1838-00007/00035

Facility DEC ID: 8183800007



STATE ONLY ENFORCEABLE CONDITIONS

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

Condition 73: General Provisions

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable State Requirement: 6NYCRR 201-5.

Item 73.1:

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 73.2:

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 73.3:

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 74: Contaminant List

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable State Requirement: 6NYCRR 201-5.3(b)

Item 74.1:

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: 007446-09-5

Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN



New York State Department of Environmental Conservation

Permit ID: 8-1838-00007/00035

Facility DEC ID: 8183800007

Condition 75: Air pollution prohibited

Effective between the dates of 05/16/2001 and 05/16/2006

Applicable State Requirement: 6NYCRR 211.2

Item 75.1:

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.