



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-2614-00709/00005
Effective Date:

Expiration Date:

Permit Issued To: ROCHESTER DISTRICT HEATING COOPERATIVE
150 STATE ST STE 110
ROCHESTER, NY 14614

Contact: PETER LOBERG
ROCHESTER DISTRICT HEATING COOP
15-17 LAWN ST
ROCHESTER, NY 14604
(585) 546-8890

Facility: ROCHESTER DISTRICT HEATING COOPERATIVE
15 - 17 LAWN ST
ROCHESTER, NY 14604

Description:

Initial Air State Facility Permit to replace a Title V Facility Permit for heating, process steam, and hot water production.

Emission sources at this facility include four natural gas fired boilers, three of which can burn No. 2 fuel oil as a backup fuel. The facility was subject to Title V regulations due to potential emissions of carbon monoxide (CO) and oxides of nitrogen (NOx) greater than 100 tons per year each.

This permit includes conditions to restrict facility-wide emissions of CO and NOx to below Title V and Part 227-2 NOx RACT thresholds of 100 tons per year each. CO and NOx emissions are restricted by limiting boiler operation, and by permanent modification of the burners on two of the four boilers to decrease their capacity from 210 million BTU per hour to 99 million BTU per hour each. This reduced facility boiler capacity from 700 to 478 million BTU per hour, and makes these boilers subject to 40CFR 60 Subpart Dc standards for small steam generating units, rather than the more stringent 40CFR 60 Subpart Db standards which apply to larger units and require continuous monitoring.

This permit continues to restrict facility SO2 emissions below the 40CFR 52.21 Prevention of Significant Deterioration (PSD) 100 ton per year threshold by maintaining the restriction on backup fuel oil use at the facility to less than 500,000 gallons 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: DAVID L BIMBER
 DIVISION OF ENVIRONMENTAL PERMITS
 6274 EAST AVON LIMA RD
 AVON, NY 14414-9519

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

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: 6NYCRR 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: 6NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.6(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



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: ROCHESTER DISTRICT HEATING COOPERATIVE
150 STATE ST STE 110
ROCHESTER, NY 14614

Facility: ROCHESTER DISTRICT HEATING COOPERATIVE
15 - 17 LAWN ST
ROCHESTER, NY 14604

Authorized Activity By Standard Industrial Classification Code:
4961 - STEAM SUPPLY

Permit Effective Date:

Permit Expiration Date:



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
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Facility Level

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

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 201-7.2: Facility Permissible Emissions
 - *2 6NYCRR 201-7.2: Capping Monitoring Condition
 - *3 6NYCRR 201-7.2: Capping Monitoring Condition
 - 4 6NYCRR 225-1.2(a)(2): Compliance Demonstration
 - 5 40CFR 52.21, Subpart A: Compliance Demonstration
- #### Emission Unit Level
- 6 6NYCRR 201-7.2: Emission Unit Permissible Emissions

EU=1-BOILR

- 7 6NYCRR 227-1.3(a): Compliance Demonstration
- 8 40CFR 60.40c, NSPS Subpart Dc: Compliance Demonstration
- 9 40CFR 60.47c(c), NSPS Subpart Dc: Compliance Demonstration
- 10 40CFR 60.48c(j), NSPS Subpart Dc: Reporting period

EU=1-BOILR,Proc=BL2

- 11 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 12 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 13 40CFR 60.7(a), NSPS Subpart A: Modification Notification
- 14 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 15 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 16 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or Local Agency
- 17 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver EU Level
- 18 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 19 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 20 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 21 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 22 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 23 40CFR 60.9, NSPS Subpart A: Availability of information.
- 24 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 25 40CFR 60.12, NSPS Subpart A: Circumvention.
- 26 40CFR 60.14, NSPS Subpart A: Modifications.
- 27 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 28 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration



- 29 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 30 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 31 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration
- 32 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.
- 33 40CFR 60.44c(h), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.
- 34 40CFR 60.45c(a), NSPS Subpart Dc: Compliance Demonstration
- 35 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.
- 36 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 37 40CFR 60.48c(c), NSPS Subpart Dc: Compliance Demonstration
- 38 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 39 40CFR 60.48c(e)(1), NSPS Subpart Dc: Compliance Demonstration
- 40 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 41 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration
- 42 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration
- 43 40CFR 60.48c(i), NSPS Subpart Dc: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 44 ECL 19-0301: Contaminant List
- 45 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 46 6NYCRR 201-5: Emission Unit Definition
- 47 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 48 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 49 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

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

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

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS



The following conditions are federally enforceable.

**Condition 1: Facility Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement:6NYCRR 201-7.2

Item 1.1:

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

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

CAS No: 000630-08-0 PTE: 198,000 pounds per year
Name: CARBON MONOXIDE

CAS No: 0NY210-00-0 PTE: 198,000 pounds per year
Name: OXIDES OF NITROGEN

**Condition 2: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6NYCRR 201-7.2

Item 2.1:

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

6NYCRR 201-6
6NYCRR 227-2
40CFR 52-A.21

Item 2.2:

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

Item 2.3:

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

Item 2.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.



Item 2.5:

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

Item 2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

RDH WILL LIMIT THE ANNUAL FACILITY-WIDE EMISSIONS OF OXIDES OF NITROGEN TO LESS THAN 100 TPY. THE FACILITY WILL KEEP RECORDS OF THE 12-MONTH ROLLING TOTAL EMISSIONS OF OXIDES OF NITROGEN

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 30 days after first annual (12 month) period following Permit Issue Date

**Condition 3: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6NYCRR 201-7.2

Item 3.1:

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

6NYCRR 201-6

6NYCRR 227-2

40CFR 52-A.21

Item 3.2:

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

Item 3.3:

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 3.4:



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 3.5:

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 3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

RDH WILL LIMIT THE ANNUAL FACILITY-WIDE EMISSIONS OF CARBON MONOXIDE TO LESS THAN 100 TPY. THE FACILITY WILL KEEP RECORDS OF THE 12-MONTH ROLLING TOTAL EMISSIONS OF CARBON MONOXIDE.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 30 days after first annual (12 month) period following Permit Issue Date

**Condition 4: Compliance Demonstration
Effective for entire length of Permit**

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

Item 4.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

FACILITY WILL KEEP COPIES OF FUEL SUPPLIER CERTIFICATIONS DEMONSTRATING THAT ALL FUEL OIL USED ONSITE IS DISTILLATE, WHICH HAS A MAXIMUM SULFUR CONTENT OF 0.5%.

Monitoring Frequency: PER DELIVERY



Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

FACILITY-WIDE NO. 2 FUEL OIL CONSUMPTION
WILL BE LIMITED TO 500,000 GALLONS PER
YEAR.

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 30 days after first annual (12 month) period following Permit Issue Date

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

Condition 6: Emission Unit Permissible Emissions
Effective for entire length of Permit

Applicable Federal Requirement:6NYCRR 201-7.2

Item 6.1:

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: 1-BOILR

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 198,000 pounds per year

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 198,000 pounds per year

Condition 7: Compliance Demonstration
Effective for entire length of Permit



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

Item 7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 7.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

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

The permittee will conduct daily observations of visible emissions from boilers when burning oil. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

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

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60 App. A Method 9



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 8: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.40c, NSPS Subpart Dc

Item 8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The August 23, 2007 application to derate 210 million BTU per hr. boilers, Emission Sources BLR04 and BLR06, was approved by USEPA on January 10, 2008. This USEPA approval requires permanent, physical modification of the natural gas and number 2 fuel oil supply lines to limit the maximum allowable fuel feeds below 100 million BTU per hr., and a 24-hour maximum heat input capacity demonstration.

Parameter Monitored: HEAT INPUT

Upper Permit Limit: 99 million Btu per hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 9: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.47c(c), NSPS Subpart Dc

Item 9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Units that burn only oil that contains no more than 0.5 weight percent sulfur or liquid or gaseous fuels with



potential sulfur dioxide emission rates of 230 ng/J (0.54 lb/MMBtu) heat input or less are not required to conduct PM emissions monitoring if they maintain fuel supplier certifications of the sulfur content of the fuels burned.

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 10: Reporting period
Effective for entire length of Permit

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

Item 10.1:

This Condition applies to Emission Unit: 1-BOILR

Item 10.2: The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period

Condition 11: EPA Region 2 address.
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 11.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 11.2:

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

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

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

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Condition 12: Date of construction notification - If a COM is not used.



Effective for entire length of Permit

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

Item 12.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 12.2:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

Condition 13: Modification Notification
Effective for entire length of Permit

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

Item 13.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 13.2:

Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.



Condition 14: Recordkeeping requirements.
Effective for entire length of Permit

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

Item 14.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 14.2:

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 15: Facility files for subject sources.
Effective for entire length of Permit

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

Item 15.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 15.2:

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

Condition 16: Notification Similar to State or Local Agency
Effective for entire length of Permit

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

Item 16.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 16.2:

If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

Condition 17: Performance Test Methods - Waiver EU Level
Effective for entire length of Permit



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

Item 17.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 17.2:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

**Condition 18: Performance test methods.
Effective for entire length of Permit**

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

Item 18.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 18.2:

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 19: Required performance test information.
Effective for entire length of Permit**

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

Item 19.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 19.2:

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

**Condition 20: Prior notice.
Effective for entire length of Permit**

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

Item 20.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2



Item 20.2:

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

**Condition 21: Performance testing facilities.
Effective for entire length of Permit**

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

Item 21.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 21.2:

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.

**Condition 22: Number of required tests.
Effective for entire length of Permit**

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

Item 22.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 22.2:

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 23: Availability of information.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 23.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 23.2:

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



**Condition 24: Opacity standard compliance testing.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 24.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 24.2:

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 25: Circumvention.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 25.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 25.2:

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 26: Modifications.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 26.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 26.2:

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 27: Reconstruction.
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 27.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 27.2:

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

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

**Condition 28: Compliance Demonstration
Effective for entire length of Permit**

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

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR
Process: BL2

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 28.2:

Compliance Demonstration shall include the following monitoring:



Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 29: Exemption from the averaging period.
Effective for entire length of Permit**

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

Item 29.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 29.2:

Compliance with emission limits and/or fuel oil sulfur limitations shall be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

**Condition 30: Enforceability.
Effective for entire length of Permit**

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

Item 30.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 30.2:

The sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations shall apply at all times, including periods of startup, shutdown, and malfunction.

**Condition 31: Compliance Demonstration
Effective for entire length of Permit**

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



Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Process: BL2

Item 31.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 22)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 32: Enforceability of particulate matter and opacity standards.

Effective for entire length of Permit

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

Item 32.1:

This Condition applies to Emission Unit: 1-BOILR

Process: BL2

Item 32.2:

The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

Condition 33: Alternative compliance methods for sulfur dioxide.
Effective for entire length of Permit

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

Item 33.1:

This Condition applies to Emission Unit: 1-BOILR



Process: BL2

Item 33.2:

Facilities demonstrating compliance through vendor certification shall follow the compliance procedures listed in paragraphs 40 CFR 60-Dc.48c(f)(1), (2), or (3), as applicable.

**Condition 34: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 60.45c(a), NSPS Subpart Dc

Item 34.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR
Process: BL2

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

Item 34.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
initial performance test required under 40CFR60.8

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 35: Exemption from sulfur dioxide monitoring requirements.
Effective for entire length of Permit**

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

Item 35.1:

This Condition applies to Emission Unit: 1-BOILR
Process: BL2

Item 35.2:

Facilities subject to paragraphs 40 CFR 60-Dc.42c(h)(1), (2), or (3) showing compliance through vendor certification shall be exempt from section 40 CFR 60-Dc.46c.

**Condition 36: Compliance Demonstration
Effective for entire length of Permit**



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

Item 36.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR
Process: BL2

Item 36.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 37: Compliance Demonstration
Effective for entire length of Permit**

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

Item 37.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR
Process: BL2

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

Item 37.2:

Compliance Demonstration shall include the following monitoring:



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each oil-fired affected facility subject to the opacity limits under §60.43c(c) shall submit excess emission reports, to the Administrator, semiannually. All reports shall be postmarked by the 30th day following the end of each semiannual reporting period.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 38: Compliance Demonstration
Effective for entire length of Permit

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

Item 38.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Process: BL2

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 38.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 39: Compliance Demonstration
Effective for entire length of Permit

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

Item 39.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Process: BL2



Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 39.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records as required under §60.48c(d) including the following information.

Calendar dates covered in the reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 40: Compliance Demonstration
Effective for entire length of Permit

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

Item 40.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Process: BL2

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 40.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall keep records as required under §60.48c(d) including the following information.

If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph §60.48c(f)(1)(2) or (3). In addition to records of fuel supplier certification, the semi-annual report shall include a certified statement signed by the owner or operator of the affected facility



that the records of fuel supplier certifications submitted represent all of the fuel combusted during the period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 41: Compliance Demonstration
Effective for entire length of Permit

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

Item 41.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILER

Process: BL2

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 41.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Fuel supplier certification shall include the following information for distillate oil:

i) The name of the oil supplier, and

ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 42: Compliance Demonstration
Effective for entire length of Permit

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

Item 42.1:



The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR
Process: BL2

Item 42.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 43: Compliance Demonstration
Effective for entire length of Permit

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

Item 43.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR
Process: BL2

Item 43.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 6 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 - 6NYCRR Part 201-1.10(a)

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 44: Contaminant List
Effective for entire length of Permit

Applicable State Requirement:ECL 19-0301

Item 44.1:

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

CAS No: 000630-08-0
Name: CARBON MONOXIDE

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

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

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

Condition 45: Unavoidable noncompliance and violations
Effective for entire length of Permit

Applicable State Requirement:6NYCRR 201-1.4

Item 45.1:

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 46: Emission Unit Definition
Effective for entire length of Permit**

Applicable State Requirement:6NYCRR 201-5

Item 46.1:

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

Emission Unit: 1-BOILR

Emission Unit Description:

THIS EMISSION UNIT CONSISTS OF THREE PACKAGE BOILERS (NO. 4 AND 6 ARE RATED AT 99 MMBTU/HR AND NO. 5 IS RATED AT 70 MMBTU/HR) AND ONE NATURAL GAS BOILER THAT WAS CONVERTED FROM COAL (NO.3 IS RATED AT 210 MMBTU/HR). THE PRIMARY FUEL FOR EACH BOILER IS NATURAL GAS. NO. 2 FUEL OIL IS AVAILABLE FOR EMERGENCY USE ONLY (I.E., NATURAL GAS CURTAILMENT) FOR BOILERS NOS. 4, 5 AND 6. BOILER NO. 3 VENTS TO EP00003. BOILER NOS. 4,5 AND 6 VENT TO A COMMON DUCT THAT IS CONNECTED TO BOTH A LARGE CONCRETE STACK (EP000 01) AND A SMALLER FIBERGLASS STACK (EP00002). EP00001 IS THE MAIN STACK WHILE EP00002 VENTS A CONDENSING HEAT EXCHANGER TO WHICH PART OF THE BOILER EXHAUST CAN BE DIRECTED.

Building(s): MAIN

**Condition 47: Air pollution prohibited
Effective for entire length of Permit**



Applicable State Requirement:6NYCRR 211.2

Item 47.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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

**Condition 48: Emission Point Definition By Emission Unit
Effective for entire length of Permit**

Applicable State Requirement:6NYCRR 201-5

Item 48.1:

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

Emission Unit:	1-BOILR		
Emission Point:	00001		
Height (ft.):	152	Diameter (in.):	120
			Building: MAIN
Emission Point:	00002		
Height (ft.):	150	Diameter (in.):	40
			Building: MAIN
Emission Point:	00003		
Height (ft.):	97	Length (in.):	84
		Width (in.):	36
			Building: MAIN

**Condition 49: Process Definition By Emission Unit
Effective for entire length of Permit**

Applicable State Requirement:6NYCRR 201-5

Item 49.1:

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

Emission Unit:	1-BOILR	
Process:	BL1	Source Classification Code: 1-02-006-02
Process Description:	PROCESS BL1 CONSISTS OF NATURAL GAS COMBUSTION IN BOILERS 4, 5 and 6. HEAT INPUT TO ALL THREE BOILERS IS UNDER 100	



MMBtu/hr. ALL PROCESS APPLICABLE
REQUIREMENTS APPLY TO EACH BOILER.

Emission Source/Control: BLR04 - Combustion
Design Capacity: 99 million Btu per hour

Emission Source/Control: BLR05 - Combustion
Design Capacity: 70 million Btu per hour

Emission Source/Control: BLR06 - Combustion
Design Capacity: 99 million Btu per hour

Item 49.2:

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

Emission Unit: 1-BOILR

Process: BL2

Source Classification Code: 1-02-005-02

Process Description:

PROCESS BL2 CONSISTS OF NO. 2 FUEL OIL
COMBUSTION IN BOILERS 4 and 6. HEAT INPUT
TO ALL THREE BOILERS IS UNDER 100 MMBtu/hr.
ALL PROCESS APPLICABLE REQUIREMENTS APPLY
TO EACH BOILER.

Emission Source/Control: BLR04 - Combustion
Design Capacity: 99 million Btu per hour

Emission Source/Control: BLR05 - Combustion
Design Capacity: 70 million Btu per hour

Emission Source/Control: BLR06 - Combustion
Design Capacity: 99 million Btu per hour

Item 49.3:

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

Emission Unit: 1-BOILR

Process: BL3

Source Classification Code: 1-02-006-01

Process Description:

PROCESS BL3 CONSISTS OF NO. 2 FUEL OIL
COMBUSTION IN BOILER 5.

Emission Source/Control: BLR03 - Combustion
Design Capacity: 210 million Btu per hour

Item 49.4:

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

Emission Unit: 1-BOILR

Process: BL4

Source Classification Code: 1-02-006-01

Process Description:

PROCESS BL4 CONSISTS OF NATURAL GAS
COMBUSTION IN 210 MMBTU/HR BOILER 3.



Emission Source/Control: BLR04 - Combustion
Design Capacity: 99 million Btu per hour

Emission Source/Control: BLR05 - Combustion
Design Capacity: 70 million Btu per hour

Emission Source/Control: BLR06 - Combustion
Design Capacity: 99 million Btu per hour

New York State Department of Environmental Conservation

Permit ID: 8-2614-00709/00005

Facility DEC ID: 8261400709

