



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-2614-00795/00004  
Effective Date: 04/22/2014 Expiration Date: 04/21/2024

Permit Issued To: MONROE NEWPOWER CORPORATION  
MONROE COUNTY CITY PLACE  
50 W MAIN ST STE 8100  
ROCHESTER, NY 14614

Contact: TIMOTHY BERNA  
MONROE NEWPOWER CORPORATIONS  
350 E HENRIETTA RD  
ROCHESTER, NY 14620-4643  
(585) 760-7528

Facility: IOLA POWERHOUSE & COGEN FACILITY  
444 E HENRIETTA RD|FLEET MAINTENANCE GARAGE  
ROCHESTER, NY 14620-4643

Contact: TIMOTHY BERNA  
MONROE NEWPOWER CORPORATION  
350 E HENRIETTA RD  
ROCHESTER, NY 14620-4643  
(585) 797-2263

Description:  
Second modification of Initial Air State Facility Permit issued June 10, 2003 and modified effective August 31, 2007 for the Monroe Newpower Corp - Iola Cogeneration Facility, which provides electric power and steam to Monroe Community Hospital and the Monroe County Iola Complex.

Emission Units are:

E-U0001, three 1971 horsepower natural gas fired generator engines; and

E-U0002, four 17.5 million BTU per hour natural gas fired boilers that can also burn number 2 fuel oil.

The 2007 modification authorized the addition of the fourth boiler, and changed permit conditions restricting facility emissions to below 6 NYCRR Part 201-6 (Title V) applicability thresholds, from annual operating hour limits on the boilers and generators, to fuel use limits in any 12 consecutive month period.

**New York State Department of Environmental Conservation**  
**Facility DEC ID: 8261400795**



This modified Permit reflects the addition of catalytic control equipment required by 40 CFR Part 63 Subpart ZZZZ to control HAP emissions from the three natural gas fired reciprocating internal combustion engines (RICE) which power the facility generators.

This modification makes no changes to restrictions effective August 31, 2007, limiting facility CO and SO<sub>2</sub> emissions. Potential emissions of CO and SO<sub>2</sub> continue to be restricted to 98 tons per year, below Title V applicability thresholds for CO and SO<sub>2</sub> of 100 tons per year each. Compliance verification includes calculations of 12 month rolling totals of emissions based on fuel use and appropriate emission factors for the engines and boilers.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

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

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_\_



### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



**LIST OF CONDITIONS**

**DEC GENERAL CONDITIONS**

**General Provisions**

- Facility Inspection by the Department
- Relationship of this Permit to Other Department Orders and Determinations
- Applications for permit renewals, modifications and transfers
- Permit modifications, suspensions or revocations by the Department

**Facility Level**

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



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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

**Condition 2: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6 NYCRR 621.11**

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3:**

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



submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 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  
(585) 226-2466

**New York State Department of Environmental Conservation**

Permit ID: 8-2614-00795/00004

Facility DEC ID: 8261400795



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

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

**IDENTIFICATION INFORMATION**

Permit Issued To: MONROE NEWPOWER CORPORATION  
MONROE COUNTY CITY PLACE  
50 W MAIN ST STE 8100  
ROCHESTER, NY 14614

Facility: IOLA POWERHOUSE & COGEN FACILITY  
444 E HENRIETTA RD|FLEET MAINTENANCE GARAGE  
ROCHESTER, NY 14620-4643

Authorized Activity By Standard Industrial Classification Code:  
4931 - ELEC & OTHER SERVICES COMBINED  
4961 - STEAM SUPPLY

Permit Effective Date: 04/22/2014

Permit Expiration Date: 04/21/2024



## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6 NYCRR 215.2: Open Fires - Prohibitions
- 2 6 NYCRR 202-1.1: Required Emissions Tests
- 3 6 NYCRR 201-7.1: Facility Permissible Emissions
- \*4 6 NYCRR 201-7.1: Capping Monitoring Condition
- 5 6 NYCRR 202-1.1: Required Emissions Tests - Facility Level
- 6 6 NYCRR 202-1.2: Notification
- 7 6 NYCRR 202-1.3: Acceptable procedures
- 8 6 NYCRR 211.1: Air pollution prohibited
- 9 6 NYCRR 225-1.2: Compliance Demonstration
- 10 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 11 40CFR 63, Subpart ZZZZ: Applicability

#### Emission Unit Level

##### EU=E-U0001

- \*12 6 NYCRR 201-7.1: Capping Monitoring Condition
- \*13 6 NYCRR 201-7.1: Capping Monitoring Condition

##### EU=E-U0002

- \*14 6 NYCRR 201-7.1: Capping Monitoring Condition
- \*15 6 NYCRR 201-7.1: Capping Monitoring Condition

### STATE ONLY ENFORCEABLE CONDITIONS

#### Facility Level

- 16 ECL 19-0301: Contaminant List
- 17 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 18 6 NYCRR Subpart 201-5: Emission Unit Definition
- 19 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 20 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 21 6 NYCRR 211.2: Visible Emissions Limited

#### Emission Unit Level

- 22 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 23 6 NYCRR Subpart 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 - 6 NYCRR 200.5**

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

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

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

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

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

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

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and



procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

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

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

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

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

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

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

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

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

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

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

(4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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



emergency has the burden of proof.

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

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

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

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

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

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

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

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

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



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

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

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

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

**Item L: Permit Exclusion - ECL 19-0305**

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

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

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

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**



**Condition 1: Open Fires - Prohibitions**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

**Applicable Federal Requirement: 6 NYCRR 215.2**

**Item 1.1:**

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

**Item 1.2**

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.



**New York State Department of Environmental Conservation**

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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 4.4:**

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 4.5:**

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 4.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

|                     |                 |
|---------------------|-----------------|
| CAS No: 007446-09-5 | SULFUR DIOXIDE  |
| CAS No: 000630-08-0 | CARBON MONOXIDE |

**Item 4.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility emissions of carbon monoxide (CO) and sulfur dioxide (SO<sub>2</sub>) are each limited to 98 tons per year (tpy). To demonstrate compliance with these caps, the facility will track air emissions on a rolling 12 month basis and report emissions annually.

Total facility CO emissions will be calculated as the sum of the total engine CO emissions and the total boiler CO emissions.

Total facility SO<sub>2</sub> emissions will be calculated as the sum of the total engine SO<sub>2</sub> emissions and the total boiler SO<sub>2</sub> emissions.

Records shall be kept in a format approved by the Department.

Monitoring Frequency: MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 1/30/2015.  
Subsequent reports are due every 12 calendar month(s).

**Condition 5: Required Emissions Tests - Facility Level**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 5.1:**

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

**Condition 6: Notification**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

**Applicable Federal Requirement:6 NYCRR 202-1.2**

**Item 6.1:**

A person who is required by the commissioner to submit a stack test report shall notify the commissioner, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow the commissioner, or his representative, free access to observe stack testing being conducted by such person.

**Condition 7: Acceptable procedures**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

**Applicable Federal Requirement:6 NYCRR 202-1.3**

**Item 7.1:**

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 8: Air pollution prohibited**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

**Applicable Federal Requirement:6 NYCRR 211.1**

**Item 8.1:**

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

**Condition 9: Compliance Demonstration**  
**Effective between the dates of 04/22/2014 and 04/21/2024**



**Applicable Federal Requirement:6 NYCRR 225-1.2**

**Item 9.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 9.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners and/or operators of a stationary combustion installation that fires distillate oil other than number two heating oil are limited to the purchase of distillate oil with 0.0015 percent sulfur by weight or less on or after July 1, 2014 and are limited to the firing of distillate oil including number two heating oil with 0.0015 percent sulfur by weight or less on or after July 1, 2016.

The department will require fuel analyses, information on the quantity of fuel received, fired or sold, and results of stack sampling, stack monitoring, and other procedures to ensure compliance with the provisions of this Subpart. All records must be maintained at the facility for a minimum of five years.

Facility owners subject to this Subpart must submit a written report of the fuel sulfur content exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable equivalent emission rate, and the nature and cause of such exceedances if known, for each calendar quarter, within 30 days after the end of any quarterly period in which an exceedance takes place.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2014.

Subsequent reports are due every 3 calendar month(s).

**New York State Department of Environmental Conservation**

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Facility DEC ID: 8261400795



**Condition 10: Compliance Demonstration**  
Effective between the dates of 04/22/2014 and 04/21/2024

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

**Item 10.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 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 11: Applicability**  
Effective between the dates of 04/22/2014 and 04/21/2024

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

**Item 11.1:**

Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

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

**Condition 12: Capping Monitoring Condition**  
Effective between the dates of 04/22/2014 and 04/21/2024

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

**Item 12.1:**

**New York State Department of Environmental Conservation**

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

6 NYCRR Subpart 201-6

**Item 12.2:**

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

**Item 12.3:**

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

**Item 12.4:**

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

**Item 12.5:**

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

**Item 12.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: E-U0001

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 12.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to assure compliance with the 98 ton per year cap, monthly emissions calculations of sulfur dioxide (SO<sub>2</sub>) from each of the engines firing natural gas shall be made using the following emission factors for SO<sub>2</sub>:

100% load: 0.0108 g/bhp-hr



75% load: 0.0112 g/bhp-hr

50% load: 0.0121 g/bhp-hr

SO<sub>2</sub> emissions for each engine shall be calculated as follows:

SO<sub>2</sub> emissions (tons per hour) = (SO<sub>2</sub> emission factor in g/bhp-hr)(% load)(1818 bhp)(0.0022 lb/g)(0.0005 ton/lb)

Monitoring Frequency: MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

**Condition 13: Capping Monitoring Condition**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 13.1:**

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

6 NYCRR Subpart 201-6

**Item 13.2:**

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

**Item 13.3:**

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 13.4:**

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 13.5:**

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.

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**Item 13.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: E-U0001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 13.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to assure compliance with the 98 ton per year cap, monthly emissions calculations of carbon monoxide (CO) from each of the engines firing natural gas shall be made using the following emission factors for CO:

100% load: 2.6 g/bhp-hr

75% load: 2.7 g/bhp-hr

50% load: 3.0 g/bhp-hr

CO emissions for each engine shall be calculated as follows:

CO emissions (tons per hour) = (CO emission factor in g/bhp-hr)(% load)(1818 bhp)(0.0022 lb/g)(0.0005 ton/lb)

Monitoring Frequency: MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

**Condition 14: Capping Monitoring Condition**

**Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 14.1:**

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

6 NYCRR Subpart 201-6

**Item 14.2:**

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



limits, terms, conditions and standards in this permit.

**Item 14.3:**

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 14.4:**

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 14.5:**

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 14.6:**

The Compliance Demonstration activity will be performed for:

Emission Unit: E-U0002

Regulated Contaminant(s):

CAS No: 007446-09-5      SULFUR DIOXIDE

**Item 14.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to assure compliance with the 98 ton per year cap, monthly emissions calculations of Sulfur Dioxide (SO<sub>2</sub>) from each of the boilers shall be made using the following emission factors for SO<sub>2</sub>:

For boilers firing natural gas:

0.0007 lb/MMMBtu

For boilers firing #2 fuel oil:

0.5390 lb/MMBtu

SO<sub>2</sub> emissions for each boiler shall be calculated as follows:



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Emission Unit: E-U0002

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 15.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to assure compliance with the 98 ton per year cap, monthly emissions calculations of CO from each of the boilers shall be made using the following emission factors for CO:

For boilers firing natural gas:

0.0367 lb/MMMBtu

For boilers firing #2 fuel oil:

0.0394 lb/MMBtu

CO emissions for each boiler shall be calculated as follows:

CO emissions (tons per hour) = (CO emission factor in lb/MMBtu)(natural gas usage per hour)(0.00102 MMBtu/cu ft)(0.0022 lb/g)(0.0005 ton/lb)

Monitoring Frequency: MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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



**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

**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 16: Contaminant List**



**Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 16.1:**

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: 007446-09-5  
Name: SULFUR DIOXIDE

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

**Condition 17: Malfunctions and start-up/shutdown activities**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 17.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, 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 department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level

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concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

**Condition 18: Emission Unit Definition**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 18.1:**

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

Emission Unit: E-U0001

Emission Unit Description:

This emission unit includes three (3) identical internal combustion engines (ENG01, ENG02 and ENG03), each equipped with an oxidation catalyst.

Building(s): POWER PLNT

**Item 18.2:**

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

Emission Unit: E-U0002

Emission Unit Description:

The emission unit includes four high-pressure steam boilers (BLR01, BLR02, BLR03, and BLR04).

Building(s): POWER PLNT

**Condition 19: Renewal deadlines for state facility permits**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

**Applicable State Requirement:6 NYCRR 201-5.2 (c)**

**Item 19.1:**

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Condition 20: Compliance Demonstration**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

**Applicable State Requirement:6 NYCRR 201-5.3 (c)**

**Item 20.1:**

The Compliance Demonstration activity will be performed for the Facility.

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**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 8  
6274 East Avon-Lima Rd.  
Avon, NY 14414

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2015.

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

**Condition 21: Visible Emissions Limited**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

**Applicable State Requirement:6 NYCRR 211.2**

**Item 21.1:**

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.

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

**Condition 22: Emission Point Definition By Emission Unit**  
**Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 22.1:**

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

Emission Unit: E-U0001

Emission Point: EP001

Height (ft.): 25

Diameter (in.): 14

NYTMN (km.): 4776.5

NYTME (km.): 287.25

Building: POWER PLNT

Emission Point: EP002

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Height (ft.): 25                      Diameter (in.): 14  
NYTMN (km.): 4776.5              NYTME (km.): 287.25              Building: POWER PLNT

Emission Point: EP003  
Height (ft.): 25                      Diameter (in.): 14  
NYTMN (km.): 4776.5              NYTME (km.): 287.25              Building: POWER PLNT

**Item 22.2:**

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

Emission Unit: E-U0002

Emission Point: EP004  
Height (ft.): 20                      Diameter (in.): 20  
NYTMN (km.): 4776.5              NYTME (km.): 287.25              Building: POWER PLNT

Emission Point: EP005  
Height (ft.): 20                      Diameter (in.): 20  
NYTMN (km.): 4776.5              NYTME (km.): 287.25              Building: POWER PLNT

Emission Point: EP006  
Height (ft.): 20                      Diameter (in.): 20  
NYTMN (km.): 4776.5              NYTME (km.): 287.25              Building: POWER PLNT

Emission Point: EP007  
Height (ft.): 20                      Diameter (in.): 20  
NYTMN (km.): 4776.5              NYTME (km.): 287.25              Building: POWER PLNT

**Condition 23: Process Definition By Emission Unit  
Effective between the dates of 04/22/2014 and 04/21/2024**

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

**Item 23.1:**

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

Emission Unit: E-U0001  
Process: 001                              Source Classification Code: 2-03-002-04  
Process Description:

The process includes three identical internal combustion engines firing natural gas (ENG01, ENG02 and ENG03), each equipped with an oxidation catalyst.

Emission Source/Control: ENG01 - Combustion

Emission Source/Control: ENG02 - Combustion

Emission Source/Control: ENG03 - Combustion

Emission Source/Control: CAT01 - Control  
Control Type: CATALYTIC OXIDATION



