PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-2626-00089/00001
Mod 0 Effective Date: 06/22/1999 Expiration Date: No expiration date.

Mod 1 Effective Date: Expiration Date:

Mod 2 Effective Date: Expiration Date:

Permit Issued To:WEGMANS FOOD MARKETS INC
1500 BROOKS AVE
PO BOX 30844
ROCHESTER, NY 14603-0844

Contact: SUSIE RONCONE
WEGMANS FOOD MARKETS INC
100 WEGMANS MARKET ST
ROCHESTER, NY 14624
(585) 429-3583

Facility: WEGMANS BAKERY
1500 BROOKS AVE
ROCHESTER, NY 14603-0844

Contact: SUSIE RONCONE
WEGMANS FOOD MARKETS INC
1500 BROOKS AVE PO BOX 30844
ROCHESTER, NY 14624
(585) 429-3583

Description:
Modified Air State Facility Permit for a commercial bakery facility, to include authorization for operation of two natural gas fired boilers, upgraded recently to a heat input capacity of 12.6 million BTU per hour each. This facility produces baked products for distribution to retail food stores. Emission sources include four natural gas fired baking ovens in addition to the two boilers.

This Permit requires compliance with 40 CFR 60 Subpart Dc and continues to restrict facility-wide VOC emissions to less than the 50 ton per year Title V and Part 212.10 VOC RACT thresholds. Facility VOC emissions are almost entirely ethanol from yeast fermentation of sugars, evaporated from the various baked products during the baking process, and are dependent on the mix of products and overall production.

Fuel use and fuel certification are to be submitted on a semi-annual basis. The 50 ton per year VOC limit applies to any 12 month period, and requires

production data to be recorded. Calculations of monthly VOC emissions and 12-month rolling totals of emissions are required to verify compliance.

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
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Permit modifications, suspensions or revocations by the Department
Applications for Permit Renewals and Modifications
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Facility Level
Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
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 2-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 2-1.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 2-1.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 2-1.3:
Permits are transferrable with the approval of the department unless specifically prohibited by

the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 2-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

Condition 2-3: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 2-3.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

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

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the

Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Condition 4: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

Item 4.1:
The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

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

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:

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

Condition 2-4: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 2-4.1:
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:WEGMANS FOOD MARKETS INC
1500 BROOKS AVE
PO BOX 30844
ROCHESTER, NY 14603-0844

Facility: WEGMANS BAKERY
1500 BROOKS AVE
ROCHESTER, NY 14603-0844

Authorized Activity By Standard Industrial Classification Code:
2051 - BREAD CAKE AND RELATED PRODUCT

Permit Effective Date: Permit Expiration Date:

LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS

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Facility Level

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3 : Maintenance of equipment
7 : Recycling and Salvage
8 : Prohibition of Reintroduction of Collected Contaminants to the Air
10 : Proof of Eligibility
11 : Proof of Eligibility
15 : Required emissions tests
16 : Visible emissions limited.
1 : Sealing
2 : Acceptable ambient air quality
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5 : Unavoidable Noncompliance and Violations
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*2-2 6NYCRR 201-7.2: Capping Monitoring Condition
2-3 40CFR 60.48c(f)(4), NSPS Subpart Dc: Fuel supplier certification
2-4 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration

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EU=1-BAK01

2-5 6NYCRR 212.4(c): Compliance Demonstration
18 : Capped sources of VOC and NOx not subject to 212.9(b) for non A-rated contaminants
2-6 6NYCRR 212.6(a): Compliance Demonstration

EU=2-BLRS1

2-7 6NYCRR 227-1.3: Compliance Demonstration

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2-9 6NYCRR 201-1.4: Unavoidable noncompliance and violations
19 : General Provisions
20 6NYCRR 201-5: Emission Unit Definition
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2-11 6NYCRR 211.2: Air pollution prohibited
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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 17: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 17.1:
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Condition 3: Maintenance of equipment
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 3.1:
Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 7: Recycling and Salvage
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 7.1:
Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Condition 8: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 8.1:
No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Condition 10: Proof of Eligibility
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 10.1:
The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Condition 11: Proof of Eligibility
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 11.1:
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Condition 15: Required emissions tests
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 15.1:
An acceptable report of measured emissions shall be submitted, as may be required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Condition 16: Visible emissions limited.
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 16.1:
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air

contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 1: Sealing
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 1.1:
(a) The commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the commissioner issued in the case of the violation. Sealing means labelling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Condition 2: Acceptable ambient air quality
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 2.1:
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the commissioner shall specify the degree and/or method of emission control required.

Condition 4: Unpermitted Emission Sources
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 4.1:
If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

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

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

Condition 5: Unavoidable Noncompliance and Violations
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 5.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of

any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

Condition 6: Emergency Defense
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 6.1:
An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

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

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

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

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

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

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

Condition 9: Public Access to Recordkeeping
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 9.1:
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.

Condition 12: Facility Permissible Emissions
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2
Applicaton Specific Data

Condition 13: Compliance Demonstration
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 13.1:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 13.2:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Facility will keep records to demonstrate that emissions of all VOC from the facility will not exceed 50.0 tons per year. This limit will effectively cap the facility potential to emit to below Title V applicability thresholds. VOC emissions will be calculated using the AP42 emission factor.

VOC E.F. = 0.95Yi + 0.195ti + 1.90
Where VOC E.F. = pounds VOC per ton of baked bread
Yi = initial baker's percent of yeast
ti = total yeast action time in hours

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: BREAD BAKED
Parameter Monitored: VOC's
Upper Permit Limit: 50 tons
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (ANNIVERSARY)
Initial Report Due: 07/21/2000 for the period 06/22/1999 through 06/21/2000

Condition 14: Synthetic minor facility capping provisions.
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Expired by Mod 2

Item 14.1:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 14.2:
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 14.3:
On an annual basis, 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 those threshold levels that would require the submission of an application for a Title V facility permit, or compliance with an applicable requirement.

Item 14.4:
The emission of pollutants in exceedance of the applicability thresholds for obtaining a Title V facility permit or other applicable requirements constitutes a violation of Part 201 and of the Act.

Condition 2-1: Facility Permissible Emissions
Effective for entire length of Permit

Applicable Federal Requirement:6NYCRR 201-7.2

Item 2-1.1:
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: 0NY998-00-0 (From Mod 2) PTE: 99,999 pounds per year
Name: VOC

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

Applicable Federal Requirement:6NYCRR 201-7.2

Item 2-2.1:
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 201-6.1(a)(1)
6NYCRR 212.10

Item 2-2.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 2-2.3:
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 2-2.4:
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 2-2.5:
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 2-2.6:
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-2.7:
Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility shall keep records to demonstrate that emissions of all VOC from the facility will not exceed 50.0 tons per year. This limit will cap the facility potential to emit below Title V applicability thresholds. VOC emissions will be calculated using the AP42 emission factor

VOC E.F. = 0.95Yi + 0.195ti - 0.51S - 0.86ts + 1.90

VOC E.F. = the pounds VOC per ton of baked product
Yi = initial baker's percent of yeast
ti = total yeast action time in hours

S = final (spike) baker's percent of yeast
ts = spiking time in hours

Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 2-3: Fuel supplier certification
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60.48c(f)(4), NSPS Subpart Dc

Item 2-3.1:

Fuel supplier certification shall include the following information:

(i) The name of the supplier of the fuel;

(ii) The potential sulfur emissions rate of the fuel in ng/J heat input; and

(iii) The method used to determine the potential sulfur emissions rate of the fuel.

Condition 2-4: Compliance Demonstration
Effective for entire length of Permit

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

Item 2-4.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-4.2:
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.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

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

Condition 2-5: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6NYCRR 212.4(c)

Item 2-5.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BAK01

Item 2-5.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. The Department reserves the right to perform or require the performance of a Method 5 emissions evaluation at any time.

The permittee will conduct compliance verifications at the monitoring frequency stated below. These verifications include review of pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure compliance with the particulate emission rate.

Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that particulate emissions above 0.050 gr/dscf are occurring or have occurred. These instances include but are not limited to process upsets, control device malfunctions or problems, abnormal visible emissions, complaints, etc. The permittee shall determine the cause of any exceedance, make the necessary correction, and verify that the excess emissions problem has been corrected.

Records of these verifications, 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: PARTICULATES
Upper Permit Limit: 0.050 grains per dscf

Monitoring Frequency: ANNUALLY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 18: Capped sources of VOC and NOx not subject to 212.9(b) for non A-rated contaminants
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable Federal Requirement:

Replaced by Condition(s) 2-13

Item 18.1:
This Condition applies to Emission Unit: 1-BAK01

Item 18.2:
Owners and/or operators of facilities which have limited the facility's annual potential to emit nitrogen oxides or volatile organic compounds below applicability levels through federally and state enforceable special conditions in permits to construct and/or certificates to operate under the provisions of section 212.10(d) of this Part must maintain annual actual emissions below these limitations. Nitrogen oxide and volatile organic compound emission points at these facilities are not subject to the control requirements in section 212.9(b) of this Part if the emissions are not given an A rating.

Condition 2-6: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6NYCRR 212.6(a)

Item 2-6.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BAK01

Item 2-6.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-7: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:6NYCRR 227-1.3

Item 2-7.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 2-BLRS1

Item 2-7.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
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.

Monitoring Frequency: ANNUALLY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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 2-8: Contaminant List
Effective for entire length of Permit

Applicable State Requirement:ECL 19-0301

Item 2-8.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

Condition 2-9: Unavoidable noncompliance and violations
Effective for entire length of Permit

Applicable State Requirement:6NYCRR 201-1.4

Item 2-9.1:
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 superceded 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 19: General Provisions
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable State Requirement:

Expired by Mod 2

Item 19.1:
This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 19.2:
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

Item 19.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Condition 20: Emission Unit Definition
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 20.1(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1-BAK01
Emission Unit Description:
Commercial bakery with four (4) ovens: 1) bread oven 2) roll oven, 3) sweet dough oven, and 4) pita oven.

Building(s): 01

Item 20.2(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 2-BLRS1
Emission Unit Description:
Emission unit consists of two natural gas fired boilers rated at 12.6 MMBtu's each used for the production of process and domestic hot water.

Building(s): BAKERY

Condition 21: Contaminant List
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable State Requirement:

Expired by Mod 2

Item 21.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

Condition 2-10: Compliance Demonstration
Effective for entire length of Permit

Applicable State Requirement:6NYCRR 201-5.4(b)

Item 2-10.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-10.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Operational flexibility
(1) Certain changes and modifications which meet the criteria under subparagraphs (i)-(iii) of this paragraph may be conducted without prior approval of the department and shall not require modification of the permit. The facility owner and/or operator must however maintain records of the date and description of such changes and make such records available for review by department representatives upon request.

(i) Changes that do not cause emissions to exceed any emission limitation contained in regulations or applicable requirements.

(ii) Changes which do not cause the source to become subject to any additional regulations or requirements.

(iii) Changes that do not seek to establish or modify a federally-enforceable emission cap or limit.

(2) In addition to the recordkeeping required under paragraph (1), the permittee must notify the department in writing at least 30 calendar days in advance of making changes involving:

(i) the relocation of emission points within a facility;

(ii) the emission of any air pollutant not previously authorized or remitted in accordance with a permit issued by the department;

(iii) the installation or alteration of any air cleaning installations, device or control equipment.

(3) The department may require a permit modification to impose applicable requirements or special permit conditions if it determines that changes proposed pursuant to notification under paragraph (2) do not meet the criteria under paragraph (1) or the change may have a significant air quality impact. In such cases the department may require that the permittee not undertake the proposed change until it completes a more detailed review of the change for air quality impacts and/or applicable requirements. The department shall respond to the permittee in writing with such a determination within 15 days of receipt of the 30 day advance notification from the permittee. The department's determination shall include a listing of information necessary to further review the proposed change.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-11: Air pollution prohibited
Effective for entire length of Permit

Applicable State Requirement:6NYCRR 211.2

Replaces Condition(s) 22

Item 2-11.1:

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 22: Air pollution prohibited
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable State Requirement:

Replaced by Condition(s) 2-11

Item 22.1:
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 2-12: Emissions from new emission sources and/or modifications
Effective for entire length of Permit

Applicable State Requirement:6NYCRR 212.4(a)

Item 2-12.1:
No person shall cause or allow emissions that exceed the applicable permissible emission rate as determined from Table 2, Table 3, or Table 4 of 6 NYCRR Part 212 for the environmental rating issued by the commissioner.

Condition 2-13: Capped sources of VOC and NOx not subject to 212.9(b) for non A-rated contaminants
Effective for entire length of Permit

Applicable State Requirement:6NYCRR 212.5(f)

Replaces Condition(s) 18

Item 2-13.1:
Owners and/or operators of facilities which have limited the facility's annual potential to emit nitrogen oxides or volatile organic compounds below applicability levels through federally and state enforceable special conditions in permits to construct and/or operate under the provisions of 6 NYCRR Part 212.10(d) must maintain annual actual emissions below these limitations. Nitrogen oxide and volatile organic compound emission points at these facilities are not subject to the control requirements in 6 NYCRR Part 212.9(b) if the emissions are not given an A rating.

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

Condition 23: Emission Point Definition By Emission Unit

Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 23.1(From Mod 2):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-BAK01

Emission Point: 01BRD
Height (ft.): 27 Diameter (in.): 14
Building: 01

Emission Point: 01PIT
Height (ft.): 18 Diameter (in.): 12
Building: 01

Emission Point: 01ROL
Height (ft.): 27 Diameter (in.): 14
Building: 01

Emission Point: 01SWT
Height (ft.): 34 Diameter (in.): 12
Building: 01

Emission Point: 02BRD
Height (ft.): 28 Diameter (in.): 16
Building: 01

Emission Point: 02ROL
Height (ft.): 27 Diameter (in.): 16
Building: 01

Emission Point: 02SWT
Height (ft.): 34 Diameter (in.): 12
Building: 01

Emission Point: 03BRD
Height (ft.): 33 Diameter (in.): 14
Building: 01

Emission Point: 03SWT
Height (ft.): 34 Diameter (in.): 12
Building: 01

Emission Point: 04PIT
Height (ft.): 23 Diameter (in.): 12
Building: 01

Item 23.2(From Mod 2):
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 2-BLRS1

Emission Point: 01BLR
Height (ft.): 31 Diameter (in.): 20
NYTMN (km.): 4779.068 NYTME (km.): 282.19 Building: BAKERY

Condition 24: Process Definition By Emission Unit
Effective between the dates of 06/22/1999 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 24.1(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-BAK01
Process: 001 Source Classification Code: 3-02-032-02
Process Description:
THIS PROCESS INVOLVES THE BAKING OF VARIOUS SANDWICH BREADS WITHIN THE COMMERCIAL BAKERY.

Emission Source/Control: 00ES1 - Process

Item 24.2(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-BAK01
Process: 002 Source Classification Code: 3-02-032-02
Process Description:
THIS PROCESS INVOLVES THE BAKING OF VARIOUS ROLLS AND GRAIN BREADS WITHIN THE COMMERCIAL BAKERY.

Emission Source/Control: 00ES2 - Process

Item 24.3(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-BAK01
Process: 003 Source Classification Code: 3-02-032-02
Process Description:
THIS PROCESS INVOLVES THE BAKING OF SWEET BREADS WITHIN THE COMMERCIAL BAKERY.

Emission Source/Control: 00ES3 - Process

Item 24.4(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-BAK01
Process: 004 Source Classification Code: 3-02-032-02
Process Description:
THIS PROCESS INVOLVES THE BAKING OF PITA BREAD WITHIN THE COMMERCIAL BAKERY.

Emission Source/Control: 00ES4 - Process

Item 24.5(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 2-BLRS1
Process: 0B2 Source Classification Code: 1-03-006-02

Emission Source/Control: 00ES5 - Combustion

Emission Source/Control: 00ES6 - Combustion