



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-2626-00109/00010
Effective Date: 12/21/2011
Expiration Date: No expiration date

Permit Issued To: TECH PARK OWNER LLC
789 ELMSGROVE RD
ROCHESTER, NY 14624

Contact: PETER J CHAPMAN
ROCHESTER TECHNOLOGY PARK
789 ELMGROVE RD - BLDG 1
ROCHESTER, NY 14624
(585) 295-1250

Facility: ROCHESTER TECHNOLOGY PARK
789 ELMGROVE RD
ROCHESTER, NY 14624

Contact: PETER J CHAPMAN
ROCHESTER TECHNOLOGY PARK
789 ELMGROVE RD - BLDG 1
ROCHESTER, NY 14653-9600
(585) 726-0499

Description:
Initial Air State Facility Permit to replace the Title V Facility Permit for the Rochester Technology Park natural gas and oil fired boiler plant, which provides steam for leased buildings at the former Kodak Elmgrove site.

The Title V Facility Permit authorized operation of five boilers able to burn either natural gas or #6 fuel oil, modified to restrict boiler heat input to a maximum of 50 million BTU per hour, and the facility was subject to 6 NYCRR Part 201-6, Title V Facility Permits, and Part 227-2 Reasonably Available Control Technology (RACT) for oxides of nitrogen (NOx) due to potential emissions of NOx in excess of 100 tons per year.

With the shutdown of one of the 5 boilers, potential NOx emissions using natural gas as a fuel have been reduced to below the 100 ton per year threshold. Potential NOx emissions using #6 fuel oil remain above that threshold.

This Permit authorizes firing the boilers with either natural gas or #6 fuel oil, but restricts NOx emissions to below the Title V and Part 227-2 NOx RACT applicability threshold of 100 tons per year by limiting #6 fuel oil use in any 12 consecutive month period.



Additionally, the applicability of 40 CFR 63 Subpart JJJJJ National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources has been avoided by Tech Park Owner's agreement to limit #6 fuel oil use only to periods of natural gas supply curtailment or interruption.

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

Permit Administrator: DAVID L BIMBER
 DIVISION OF ENVIRONMENTAL PERMITS
 6274 EAST AVON LIMA RD
 AVON, NY 14414-9519

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

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



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

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

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

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 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.



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: 8-2626-00109/00010

Facility DEC ID: 8262600109



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: TECH PARK OWNER LLC
789 ELMSGROVE RD
ROCHESTER, NY 14624

Facility: ROCHESTER TECHNOLOGY PARK
789 ELMGROVE RD
ROCHESTER, NY 14624

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

Permit Effective Date: 12/21/2011
date.

Permit Expiration Date: No expiration
date.



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-1.7: Recycling and Salvage
- 3 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 4 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 5 6 NYCRR Subpart 201-7: Facility Permissible Emissions
- *6 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 7 6 NYCRR 211.1: Air pollution prohibited
- 8 6 NYCRR 225-1.2 (a) (2): Compliance Demonstration
- 9 6 NYCRR 225-1.8 (a): Compliance Demonstration
- 10 6 NYCRR 227-1.3: Compliance Demonstration
- 11 6 NYCRR 227-1.3 (a): Compliance Demonstration
- 12 40CFR 63.6655(a), Subpart ZZZZ: Compliance Demonstration

Emission Unit Level

EU=U-00002

- 13 40CFR 63.6595(a)(1), Subpart ZZZZ: Compliance Demonstration
- 14 40CFR 63.6603(a), Subpart ZZZZ: Compliance Demonstration
- 15 40CFR 63.6605(a), Subpart ZZZZ: Compliance required at all times
- 16 40CFR 63.6605(b), Subpart ZZZZ: Operate and maintain air pollution control and monitoring equipment consistent with good engineering practices
- 17 40CFR 63.6625(e), Subpart ZZZZ: Compliance Demonstration
- 18 40CFR 63.6625(f), Subpart ZZZZ: Compliance Demonstration
- 19 40CFR 63.6625(h), Subpart ZZZZ: Compliance Demonstration
- 20 40CFR 63.6625(i), Subpart ZZZZ: Compliance Demonstration
- 21 40CFR 63.6640(f)(1), Subpart ZZZZ: Compliance Demonstration
- 22 40CFR 63.6655(e), Subpart ZZZZ: Compliance Demonstration
- 23 40CFR 63.6660, Subpart ZZZZ: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 24 ECL 19-0301: Contaminant List
- 25 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 26 6 NYCRR Subpart 201-5: Emission Unit Definition
- 27 6 NYCRR 201-5.3 (b): Compliance Demonstration
- 28 6 NYCRR 201-5.3 (b): Compliance Demonstration
- 29 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level

- 30 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 31 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: Acceptable Ambient Air Quality



Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:

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

Condition 2: Recycling and Salvage

Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 2.1:

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

Condition 3: Prohibition of Reintroduction of Collected Contaminants to the air

Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 3.1:

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 4: Exempt Sources - Proof of Eligibility

Effective between the dates of 12/21/2011 and Permit Expiration Date

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

Item 4.1:

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

Condition 5: Facility Permissible Emissions

Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-7

New York State Department of Environmental Conservation

Permit ID: 8-2626-00109/00010

Facility DEC ID: 8262600109



Item 5.1:

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

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

CAS No: 0NY210-00-0

PTE: 198,000 pounds per year

Name: OXIDES OF NITROGEN

**Condition 6: Capping Monitoring Condition
Effective between the dates of 12/21/2011 and Permit Expiration Date**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 6.1:

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 201-6.1

6 NYCRR 227-2.1

Item 6.2:

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

Item 6.3:

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 6.4:

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 6.5:

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 6.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

New York State Department of Environmental Conservation

Permit ID: 8-2626-00109/00010

Facility DEC ID: 8262600109



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

Item 6.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The total emissions of NOx will not exceed 99 tons per year (198000 pounds per year) on a rolling 12-month basis. Facility-wide NOx emissions will be calculated monthly based on fuel use and the following AP-42 emission factors: (1) Natural Gas fired boiler or engine - 100 lb. NOx/MMscf (2) # 6 Fuel Oil fired boiler- 55 lb. NOx/1000 gallons (3) Diesel Fuel fired engine - 4.41 lb. NOx/ MMbtu (4) Natural Gas fired engines - 326.40 lb. NOx/MMscf

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 198000 pounds per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

Condition 7: Air pollution prohibited
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 211.1

Item 7.1:

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 8: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

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

Item 8.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 8.2:

Compliance Demonstration shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 8-2626-00109/00010

Facility DEC ID: 8262600109



Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: RESIDUAL FUEL (#4, #5 AND/OR #6 FUEL OIL)

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

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

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2012.

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

Condition 9: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225-1.8 (a)

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: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 10.1:

The Compliance Demonstration activity will be performed for the Facility.



Item 10.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

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

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

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

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

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

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam



plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

Condition 11: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

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

Item 11.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 11.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct 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.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2012.
Subsequent reports are due every 12 calendar month(s).

Condition 12: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:40CFR 63.6655(a), Subpart ZZZZ

Item 12.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must keep the records described in paragraphs (1) through (5).

(1) A copy of each notification and report that the owner or operator submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that he/she submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).

(2) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.

(3) Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(viii).

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment.

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(5) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

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

Condition 13: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:40CFR 63.6595(a)(1), Subpart ZZZZ

Item 13.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The is an area source of HAP emissions and you must comply with the applicable emission limits and operating provisions of this regulation no later than October 19, 2013. For the existing stationary CI RICE (diesel generator) you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 14: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:40CFR 63.6603(a), Subpart ZZZZ

Item 14.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002



Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing emergency and black start compression ignition stationary RICE and spark ignition stationary RICE located at an area source of HAP emissions must comply with provisions of Table 2d of this regulation and the following maintenance procedures:

- (1) Change oil and filter every 500 hours of operation or annually, whichever comes first,
- (2) Inspect air cleaner (on CI generators) and spark plugs (on SI generators) every 1,000 hours of operation or annually, whichever comes first,
- (3) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

**Condition 15: Compliance required at all times
Effective between the dates of 12/21/2011 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 63.6605(a), Subpart ZZZZ

Item 15.1:

This Condition applies to Emission Unit: U-00002

Item 15.2:

Facility must be in compliance with the emission limitations and operating limitations in 40 CFR 63 Subpart ZZZZ that apply to them at all times.

**Condition 16: Operate and maintain air pollution control and monitoring equipment consistent with good engineering practices
Effective between the dates of 12/21/2011 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 63.6605(b), Subpart ZZZZ

Item 16.1:

This Condition applies to Emission Unit: U-00002

Item 16.2:

Facility must operate and maintain its stationary RICE, including air pollution control and monitoring equipment, in a manner consistent with good air pollution control practices for



minimizing emissions at all times, including during startup, shutdown, and malfunction.

Condition 17: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 63.6625(e), Subpart ZZZZ

Item 17.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of any of the following stationary RICE must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions:

- (1) An existing stationary RICE with a site rating of less than 100 brake horsepower located at a major source of HAP emissions;
- (2) An existing emergency or black start stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions;
- (3) An existing emergency or black start stationary RICE located at an area source of HAP emissions;
- (4) An existing non-emergency, non-black start stationary compression ignition RICE with a site rating less than or equal to 300 brake horsepower located at an area source of HAP emissions;
- (5) An existing non-emergency, non-black start 2 stroke lean burn stationary RICE located at an area source of HAP emissions;
- (6) An existing non-emergency, non-black start landfill or digester gas stationary RICE located at an area source of HAP emissions;
- (7) An existing non-emergency, non-black start 4 stroke



lean burn stationary RICE with a site rating less than or equal to 500 brake horsepower located at an area source of HAP emissions;

(8) An existing non-emergency, non-black start 4 stroke rich burn stationary RICE with a site rating less than or equal to 500 brake horsepower located at an area source of HAP emissions;

(9) An existing, non-emergency, non-black start 4 stroke lean burn stationary RICE with a site rating greater than 500 brake horsepower located at an area source of HAP emissions that is operated 24 hours or less per calendar year; and

(10) An existing, non-emergency, non-black start 4 stroke rich burn stationary RICE with a site rating greater than 500 brake horsepower located at an area source of HAP emissions that is operated 24 hours or less per calendar year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 18: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 63.6625(f), Subpart ZZZZ

Item 18.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, must install a non-resettable hour meter if one is not already installed.

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 07/20/2012 for the period 12/21/2011 through 06/20/2012

Condition 19: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date



Applicable Federal Requirement:40CFR 63.6625(h), Subpart ZZZZ

Item 19.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 19.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

For operation of a new, reconstructed, or existing stationary engine, the engine's time spent at idle must be minimized during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to 40 CFR 63 Subpart ZZZZ apply.

Parameter Monitored: DURATION OF START UP

Upper Permit Limit: 30 minutes

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

**Condition 20: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 63.6625(i), Subpart ZZZZ

Item 20.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary compression ignition engine that is subject to the work, operation or management practices in items 1 or 2 of Table 2c to this subpart or in items 1 or 4 of Table 2d of subpart ZZZZ has



the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2c and 2d of subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2c or 2d of subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 21: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:40CFR 63.6640(f)(1), Subpart ZZZZ

Item 21.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 21.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing emergency stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions, a new or reconstructed emergency stationary RICE with a site rating of more than 500 brake horsepower located at a major source of HAP emissions that was installed on or



after June 12, 2006, or an existing emergency stationary RICE located at an area source of HAP emissions must operate the emergency stationary RICE according to the requirements in paragraphs (i) through (iii) below. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (i) through (iii) below, is prohibited. If you do not operate the engine according to the requirements in paragraphs (i) through (iii) below, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.

(i) There is no time limit on the use of emergency stationary RICE in emergency situations.

(ii) The facility may operate the emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the EPA Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.

(iii) The facility may operate the emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer



imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph, as long as the power provided by the financial arrangement is limited to emergency power.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

Condition 22: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement:40CFR 63.6655(e), Subpart ZZZZ

Item 22.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that he/she operated and maintained the stationary RICE and after-treatment control device (if any) according to the maintenance plan for the following stationary RICE;

- (1) An existing stationary RICE with a site rating of less than 100 brake horsepower located at a major source of HAP emissions.
- (2) An existing stationary emergency RICE.
- (3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to subpart ZZZZ.

Monitoring Frequency: MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

Condition 23: Compliance Demonstration



Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 63.6660, Subpart ZZZZ

Item 23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (a) Your records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).
- (b) As specified in §63.10(b)(1), you must keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.
- (c) You must keep each record readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2012.

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



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS
This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

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

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 24: Contaminant List

Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 24.1:

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Condition 25: Unavoidable noncompliance and violations

Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 201-1.4

Item 25.1:

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 26: Emission Unit Definition
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 26.1:

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

Emission Unit: U-00001

Emission Unit Description:

The emissions unit consists of four dual fuel steam boilers that burn natural gas and no. 6 fuel oil (emission points E00001, E00002, E00003, and E00005).

These boilers burn at a rate of 50 MMBTU/ H each, after NYSDEC approved unit de-rating.

Building(s): 51

Item 26.2:

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

Emission Unit: U-00002

Emission Unit Description:

This unit consists of 14 emergency generators (13 fueled by natural gas, 1 by diesel). All are exempt from permitting under section 201-3.2 (c) (6).

Condition 27: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

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

Item 27.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 27.2:

Compliance Demonstration shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 8-2626-00109/00010

Facility DEC ID: 8262600109



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The following requirements have been specifically identified as being not applicable to this facility any emission units, emission points, processes or emissions sources within this facility:

40 CFR Part 63, Subpart JJJJJ

Emission Unit: U00001

You are subject to this subpart if you own or operate an industrial, commercial, or institutional boiler as defined in 63.11237 that is located at, or is part of, an area source of hazardous air pollutants (HAP), as defined in 63.2 except as specified in 63.11195. A gas boiler as defined in 63.11195 is not subject to this subpart or to any requirements in this subpart, as are boilers fueled by # 6 Fuel Oil during periods of natural gas curtailments or supply interruption. Exempt emergency generators are powered by natural gas or diesel fuel.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2012.

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

Condition 28: Compliance Demonstration
Effective between the dates of 12/21/2011 and Permit Expiration Date

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

Item 28.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 28.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required in 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: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

New York State Department of Environmental Conservation

Permit ID: 8-2626-00109/00010

Facility DEC ID: 8262600109



The initial report is due 4/30/2012.
Subsequent reports are due every 6 calendar month(s).

Condition 29: Visible Emissions Limited
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable State Requirement:6 NYCRR 211.2

Item 29.1:

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 30: Emission Point Definition By Emission Unit
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 30.1:

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

Emission Unit: U-00001

Emission Point: 00001

Height (ft.): 55 Diameter (in.): 50
NYTMN (km.): 4781.389 NYTME (km.): 277.193 Building: 51

Emission Point: 00002

Height (ft.): 55 Diameter (in.): 50
NYTMN (km.): 4781.389 NYTME (km.): 277.193 Building: 51

Emission Point: 00003

Height (ft.): 55 Diameter (in.): 50
NYTMN (km.): 4781.389 NYTME (km.): 277.193 Building: 51

Emission Point: 00005

Height (ft.): 55 Diameter (in.): 48
NYTMN (km.): 4781.389 NYTME (km.): 277.193 Building: 51

Condition 31: Process Definition By Emission Unit
Effective between the dates of 12/21/2011 and Permit Expiration Date

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 31.1:

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

New York State Department of Environmental Conservation

Permit ID: 8-2626-00109/00010

Facility DEC ID: 8262600109



Emission Unit: U-00001

Process: BLR

Source Classification Code: 1-02-006-02

Process Description:

THE DUAL FUEL BOILERS (4) HAVE THE CAPABILITY TO COMBUST BOTH NATURAL GAS AND NO.6 FUEL OIL AND WILL BE THE PRIMARY SUPPLY OF STEAM TO THE FACILITY.

Emission Source/Control: 10000 - Combustion

Emission Source/Control: 20000 - Combustion

Emission Source/Control: 30000 - Combustion

Emission Source/Control: 50000 - Combustion

Item 31.2:

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

Emission Unit: U-00002

Process: ENG

Process Description:

14 exempt emergency generators installed to provide <500 hours of emergency operation each per year when usual sources of power are unavailable.

Emission Source/Control: GENER - Combustion

