



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 8-4624-00159/00001
Effective Date: 06/13/2016 Expiration Date: 06/12/2021

Permit Issued To: STEUBEN RURAL ELECTRIC COOPERATIVE INC
PO BOX 272- 9 WILSON AVE
BATH, NY 14810-0272

Facility: SREC BATH LFGTE FACILITY
TURNPIKE RD - S SIDE - W OF CO RTE 15
BATH, NY 14810

Contact: WAYNE SHERWOOD
STEUBEN RURAL ELECTRIC COOPERATIVE INC
9 WILSON AVE
BATH, NY 14810
(607) 776-4161

Description:

First renewal of the Title V Air Facility permit for a landfill gas to energy facility adjacent to the New Bath Landfill on Turnpike Road in the Town of Bath. The facility will have three Caterpillar G3520 engines/generators that will be fueled by landfill gas.

The renewal include the following considerations and modifications:

- Currently two of the permitted three engines have been installed at the facility, producing 3.2 MW of electricity.
- The applicable requirements have been updated to include 40 CFR Part 60 Subpart JJJJ and 40 CFR Part 63 Subpart ZZZZ for SI RICE.
- The fuel use rate for the engines is being corrected from 431 standard cubic feet per minute (scfm) per engine to 531 scfm per engine.
- The interior diameter of emission points 001, 002, 003 is being corrected from 20 inches to 15.5 inches.
- A List of Exemption Activities (from NYCRR Part 201) to address an onsite diesel powered standby generator rated for 75 kW. Pursuant to NESHAP 40 CFR Part 60 Subpart IIII, it is subject to recordkeeping requirements.

Emissions from the facility include oxides of nitrogen, sulfur dioxide, carbon monoxide, particulate matter, non-methane organic carbons, volatile organic carbons and hazardous air pollutants. The permit continues to include federally enforceable conditions which will limit or cap emissions of carbon monoxide below 250 tons per year (Prevention of Significant Deterioration threshold under 6 NYCRR Part 231-8) and emissions of oxides of nitrogen below 100 tons per year (New Source Review threshold under 6 NYCRR Part 231-6).



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: KIMBERLY A MERCHANT
 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 ******

For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.

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 renewal application at least 180 days before expiration of permits for both Title V and State Facility Permits.

Item 3.3:

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

Condition 4: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:



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

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

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

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

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(585) 226-2466

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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PO BOX 272- 9 WILSON AVE
BATH, NY 14810-0272

Facility: SREC BATH LFGTE FACILITY
TURNPIKE RD - S SIDE - W OF CO RTE 15
BATH, NY 14810

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES

Permit Effective Date: 06/13/2016

Permit Expiration Date: 06/12/2021



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.4 (a) (7): Fees
- 3 6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
- 4 6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
- 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.4 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 10 6 NYCRR 200.7: Maintenance of Equipment
- 11 6 NYCRR 201-1.7: Recycling and Salvage
- 12 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 14 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 15 6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
- 16 6 NYCRR 201-6.4 (a) (8): Right to Inspect
- 17 6 NYCRR 201-6.4 (f) (6): Off Permit Changes
- 18 6 NYCRR 202-1.1: Required Emissions Tests
- 19 40 CFR Part 68: Accidental release provisions.
- 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 21 6 NYCRR Subpart 201-6: Emission Unit Definition
- 22 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 23 6 NYCRR 201-6.4 (f): Compliance Certification
- 24 6 NYCRR 201-7.1: Facility Permissible Emissions
- *25 6 NYCRR 201-7.1: Capping Monitoring Condition
- *26 6 NYCRR 201-7.1: Capping Monitoring Condition
- *27 6 NYCRR 201-7.1: Capping Monitoring Condition
- *28 6 NYCRR 201-7.1: Capping Monitoring Condition
- *29 6 NYCRR 201-7.1: Capping Monitoring Condition
- *30 6 NYCRR 201-7.1: Capping Monitoring Condition
- *31 6 NYCRR 201-7.1: Capping Monitoring Condition
- 32 6 NYCRR 211.1: Air pollution prohibited
- 33 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 34 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 35 40CFR 60.7(c), NSPS Subpart A: Compliance Certification
- 36 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
- 37 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 38 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or Local Agency
- 39 40CFR 60.9, NSPS Subpart A: Availability of information.
- 40 40CFR 60.12, NSPS Subpart A: Circumvention.
- 41 40CFR 60.14, NSPS Subpart A: Modifications.
- 42 40CFR 60.15, NSPS Subpart A: Reconstruction



- 43 40CFR 60.4211(c), NSPS Subpart III: Compliance Certification
- 44 40CFR 60.4214(b), NSPS Subpart III: Compliance Certification
- 45 40CFR 60.4246, NSPS Subpart JJJJ: Subpart A provisions that apply to facilities subject to Subpart JJJJ

Emission Unit Level

- 46 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 47 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
- 48 6 NYCRR 201-7.1: Process Permissible Emissions

EU=1-LFGTE

- 49 40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ: Applicability of facilities subject to Subpart JJJJ
- 50 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
- 51 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
- 52 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
- 53 40CFR 60.4243(a)(1), NSPS Subpart JJJJ: Compliance Certification
- 54 40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ: Compliance Certification
- 55 40CFR 60.4245(a), NSPS Subpart JJJJ: Compliance Certification
- 56 40CFR 63.6590(a)(2), Subpart ZZZZ: Applicability of new RICE at an area source of HAP
- 57 40CFR 63.6590(c), Subpart ZZZZ: Stationary RICE subject to regulations under 40 CFR Part 60
- 58 40CFR 63.6595(a)(7), Subpart ZZZZ: Compliance Dates for new RICE at an area source of HAP

EU=1-LFGTE,Proc=GAS

- 59 6 NYCRR 227-1.3 (a): Compliance Certification

EU=1-LFGTE,Proc=GEN

- 60 40CFR 60.4205(b), NSPS Subpart III: Compliance Certification
- 61 40CFR 60.4207(b), NSPS Subpart III: Compliance Certification
- 62 40CFR 60.4207(b), NSPS Subpart III: Compliance Certification
- 63 40CFR 60.4207(b), NSPS Subpart III: Compliance Certification
- 64 40CFR 60.4209(a), NSPS Subpart III: Compliance Certification
- 65 40CFR 60.4211(a), NSPS Subpart III: Compliance Certification
- 66 40CFR 60.4211(f), NSPS Subpart III: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 67 ECL 19-0301: Contaminant List
- 68 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)

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

Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and



reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)

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

Item G: Property Rights - 6 NYCRR 201-6.4 (a) (6)

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

Item H: Severability - 6 NYCRR 201-6.4 (a) (9)

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

Item I: Permit Shield - 6 NYCRR 201-6.4 (g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;

ii. The liability of a permittee of the Title V



facility for any violation of applicable requirements prior to or at the time of permit issuance;

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item J: Reopening for Cause - 6 NYCRR 201-6.4 (i)

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

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

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

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

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

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

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



Condition 5: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring



report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

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

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate



whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 6: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

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



and

- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

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

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Stationary Source Compliance Section
USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
NYSDEC Region 8 Headquarters
6274 East Avon-Lima Road
Avon, NY 14414-9519

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2017.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

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

Condition 8: Recordkeeping requirements
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

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

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

Condition 9: Open Fires - Prohibitions
Effective between the dates of 06/13/2016 and 06/12/2021



Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

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

Item 9.2

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

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

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**



Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)

Item 17.1:

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

Condition 18: Required Emissions Tests

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 18.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 19: Accidental release provisions.

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40 CFR Part 68

Item 19.1:

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:



New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 23: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement: 6 NYCRR 201-6.4 (f)

Item 23.1:

The Compliance Certification activity will be performed for the Facility.

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operational Flexibility Plan

I. Protocol Objective

The objective of this condition is to maximize operational flexibility at the facility by building into the Title V permit the capability to make certain changes using a protocol. As provided under 6 NYCRR Part 201-6.4(f)(2), changes made under an approved protocol are not subject to the Title V permit modification provisions under 6 NYCRR Part 201-6.6.

II. Protocol

A. Criteria

1. Changes reviewed under this protocol shall be evaluated in accordance with the following criteria:

a. All underlying federal and state requirements with which the new or changed emission source must comply must exist in the Title V permit. Existing permit conditions may be amended to reference or include the new or changed emission source and any related information, and/or subject to DEC approval, new conditions proposed, to provide the appropriate monitoring parameters.

b. Any new or changed emission source shall not be part of a source project that results in a significant net



emissions increase that exceeds the New Source Review (NSR) thresholds identified in 6 NYCRR Part 231.

c. The facility shall not use the protocol to make physical changes or changes in the method of operation of existing emissions sources that would require a new or modified federally enforceable cap either to avoid major NSR requirements or to address and comply with other Clean Air Act requirements, such as RACT. Such changes must be addressed via the significant permit modification provisions.

B. Notification Requirements for Changes Reviewed under the Protocol

1. The facility shall notify the Department in writing of the proposed change.

2. Notifications made in accordance with this protocol will include the following documentation:

a. Identification of the Title V permit emission unit, process(es), emission sources and emission points affected by the proposed change with applicable revisions to the Emission Unit structure;

b. Description of the proposed change, including operating parameters;

c. Identification and description of emissions control technology;

d. Documentation of the project's, or emission source's, compliance with respect to all state and/or federally applicable requirements, including the following steps:

i. Calculate the emission rate potential and maximum projected actual annual emission rates for all contaminants affected by the change.

ii. Submit documentation of major NSR program non-applicability for NYSDEC review and approval.

iii. Identify and evaluate the applicability of all regulations likely to be triggered by the new or changed emission source.

iv. Propose any operating and record keeping procedures necessary to ensure compliance.



e. Any other relevant information used for the evaluation of the proposed project or emission source under the Protocol.

C. Review and Approval of Changes

1. The Department shall respond to the permittee in writing with a determination within 15 days of receipt of the notification of the permittee.

2. The Department may require a permit modification, in order to impose new applicable requirements or additional permit conditions if it determines that changes proposed pursuant to notification do not meet the criteria under II. A above or that the changes may have a significant air quality impact or be otherwise potentially significant under SEQRA (6 NYCRR Part 617).

3. The Department may require that the permittee not undertake the proposed change until it completes a more detailed review of the proposed change, which may include potential air quality impacts and/or applicable requirements. The Department's determination shall include a listing of information required for further review, if necessary.

D. Additional Compliance Obligations for Changes Made Under this Protocol

1. Upon commencement of the change, the facility shall comply with all applicable requirements and permit conditions, including any amended or proposed in accordance with II.A.1.a above.

2. The facility shall provide with the semi-annual monitoring report, a summary of the changes made in accordance with this protocol and a statement of the compliance status of each. Changes reported should include all those made during the corresponding period and any earlier changes that have not yet been incorporated into the permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 24: Facility Permissible Emissions
Effective between the dates of 06/13/2016 and 06/12/2021

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-LFGTE
Process: GAS

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 25.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to show compliance with the permit limit of 250 tons per year of carbon monoxide, the facility is required to conduct quarterly instantaneous testing over a 15-minute period (in order to ensure a stabilized reading) per calendar year using a portable CO analyzer on all the engines. The sampling will be done in accordance with the analyzer manufacturer's recommendations for testing and calibration (using non-EPA methods). Results from this testing will be used to verify stack test results and confirm proper operation of the engines.

The facility shall use the average flow exhaust rate determined in the most recent approved performance test in order to convert the concentration measured to a mass rate for the purpose of demonstrating compliance with the specified limit.

If two consecutive instantaneous quarterly samples show a discrepancy of 10 percent or more from the original stack test results or if one quarterly sample is off by 20% or more from the original stack test results, then the facility must notify the Department and a new stack test may be required to show compliance.

Upper Permit Limit: 250 tons per year

Reference Test Method: See Monitoring Description

Monitoring Frequency: QUARTERLY

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 26: Capping Monitoring Condition
Effective between the dates of 06/13/2016 and 06/12/2021



Applicable Federal Requirement:6 NYCRR 201-7.1

Item 26.1:

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

6 NYCRR Subpart 231-7

Item 26.2:

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

Item 26.3:

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 26.4:

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 26.5:

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 26.6:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-LFGTE

Process: GAS

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 26.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sum of emissions of carbon monoxide from this

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



other state and federal air pollution control requirements, regulations or law.

Item 27.4:

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 27.5:

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 27.6:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-LFGTE
Process: GAS

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 27.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sum of emissions of oxides of nitrogen (NOx) from this facility are limited to less than 100 tons/year calculated on a rolling 12 month total. This limit ensures that the facility will remain under the threshold to be applicable to 6NYCRR Part 227-2 NOx RACT and Part 231 New Source Review. The facility shall calculate monthly NOx emissions from the engines using daily individual bHp production data based on the amount of electricity that is generated by each engine and the results from the approved stack test report for emission factors (results of quarterly instantaneous NOx monitoring will be used to confirm proper operation of the engines and the accuracy of the emission factors). All other sources of NOx emissions shall be calculated and included in the facility's rolling 12 month total. The facility shall keep these records in a format acceptable to the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Emission Unit: 1-LFGTE
Process: GAS

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 28.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In order to remain below the 100 tpy PTE threshold of a major source, the owner will cap emissions of oxides of nitrogen (NOx). This limit will ensure that the facility will not be applicable to 6NYCRR Part 227 NOx RACT provisions or Part 231 New Source Review provisions.

The facility is required to submit an operating plan as described in 6NYCRR Part 227-2.3(c) to the Department for approval. The facility must operate the engines in accordance with this approved operating plan. This will ensure that the engines are operating under the same conditions as the most recent approved performance test. The document shall be updated when any changes occur.

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 1/30/2017.

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

Condition 29: Capping Monitoring Condition
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 29.1:

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

6 NYCRR Subpart 227-2

6 NYCRR Subpart 231-7

Item 29.2:

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



Item 29.3:

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 29.4:

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 29.5:

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 29.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: 1-LFGTE

Process: GAS

Regulated Contaminant(s):

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

Item 29.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to show compliance with the permit limit of 100 tons per year of oxides of nitrogen (NO_x), the facility is required to conduct quarterly instantaneous testing over a 15-minute period (in order to ensure a stabilized reading) per calendar year using a portable NO_x analyzer on all the engines. The sampling will be done in accordance with the analyzer manufacturer's recommendations for testing and calibration (using non-EPA methods). Results from this testing will be used to verify stack test results and confirm proper operation of the engines.

The facility shall use the average flow exhaust rate determined in the most recent approved performance test in order to convert the concentration measured to a mass rate for the purpose of demonstrating compliance with the

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



specified limit.

If two consecutive instantaneous quarterly samples show a discrepancy of 10 percent or more from the original stack test results or if one quarterly sample is off by 20% or more from the original stack test results, then the facility must notify the Department and a new stack test may be required to show compliance.

Upper Permit Limit: 100 tons per year
Reference Test Method: See Monitoring Description
Monitoring Frequency: QUARTERLY
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2016.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Capping Monitoring Condition
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 30.1:

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

6 NYCRR Subpart 227-2
6 NYCRR Subpart 231-7

Item 30.2:

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

Item 30.3:

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 30.4:

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 30.5:

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 30.6:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-LFGTE
Process: GAS

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 30.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Facility emissions of oxides of nitrogen (NO_x) must remain below the major source threshold of 100 tons during any 12 month period.

Compliance with this emission limit shall be demonstrated by an initial performance test as outlined below:

1. The facility must submit a compliance test protocol to the department for approval at least 60 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the Department.
2. The facility must utilize the procedure set forth in 40 CFR Part 60, Subpart A, Method 7, 7E, or 19, or any other method acceptable to the Department for determining compliance with the NO_x limit contained in this condition, and must, in addition, follow the procedures set forth in Part 202 of this Title.
3. The facility must submit a compliance test report containing the results of the emission test to the Department no later than 60 days after completion of the emission test.

Since all three stationary internal combustion devices at this facility are identical, only one of the 3 internal combustion engines will require performance testing to demonstrate compliance with this NO_x emission limit. The initial performance test must be completed within 180 days of commencement of operation of these emission sources.



New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159

The facility must conduct the required emissions test at 100% +/- 10% load on the engine with the most operating hours at the time of the performance test.

Prior to renewal of the Title V permit, the facility must complete a second performance test utilizing the procedures for engine selection as described above. This performance test must be completed within the effective period of this permit at least 180 days prior to expiration of the Title V permit.

Upper Permit Limit: 100 tons per year

Reference Test Method: EPA RM 7, 7E or 19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2017.

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

Condition 31: Capping Monitoring Condition
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 31.1:

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

6 NYCRR Subpart 231-7

Item 31.2:

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

Item 31.3:

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 31.4:

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 31.5:

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 31.6:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-LFGTE
Process: GAS

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 31.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Facility emissions of carbon monoxide (CO) must remain below the major source threshold of 250 tons during any 12 month period.

Compliance with this emission limit shall be demonstrated by an initial performance test as outlined below:

1. The facility must submit a compliance test protocol to the department for approval at least 60 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the Department.
2. The facility must utilize the procedure set forth in 40 CFR Part 60, Subpart A, Method 10, or any other method acceptable to the Department for determining compliance with the CO limit contained in this condition, and must, in addition, follow the procedures set forth in Part 202 of this Title.
3. The facility must submit a compliance test report containing the results of the emission test to the Department no later than 60 days after completion of the emission test.

Since all three stationary internal combustion devices at this facility are identical, only one of the 3 internal combustion engines will require performance testing to demonstrate compliance with this CO emission limit. The

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



initial performance test must be completed within 180 days of commencement of operation of these emission sources. The facility must conduct the required emissions test at 100% +/- 10% load on the engine with the most operating hours at the time of the performance test.

Prior to renewal of the Title V permit, the facility must complete a second performance test utilizing the procedures for engine selection as described above. This performance test must be completed within the effective period of this permit and at least 180 days prior to expiration of the Title V permit.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 250 tons per year

Reference Test Method: EPA Method 10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2017.

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

**Condition 32: Air pollution prohibited
Effective between the dates of 06/13/2016 and 06/12/2021**

Applicable Federal Requirement:6 NYCRR 211.1

Item 32.1:

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 33: EPA Region 2 address.
Effective between the dates of 06/13/2016 and 06/12/2021**

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 33.1:

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

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



New York, NY 10007-1886

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

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

Condition 34: Recordkeeping requirements.
Effective between the dates of 06/13/2016 and 06/12/2021

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

Item 34.1:

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

Condition 35: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

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

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each six (6) month period (or as appropriate), and shall contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;

3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and

4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 36: Excess emissions report.
Effective between the dates of 06/13/2016 and 06/12/2021

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

Item 36.1:

A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 37: Facility files for subject sources.
Effective between the dates of 06/13/2016 and 06/12/2021

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

Item 37.1:

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

Condition 38: Notification Similar to State or Local Agency
Effective between the dates of 06/13/2016 and 06/12/2021

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

Item 38.1:

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



Condition 39: Availability of information.
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 39.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 40: Circumvention.
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 40.1:

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

Condition 41: Modifications.
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 41.1:

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

Condition 42: Reconstruction
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 42.1:

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

- 1) a notice of intent to reconstruct 60 days (or as soon as practicable) prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;

7) the estimated life of the facility after the replacements; and

8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 43: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4211(c), NSPS Subpart IIII

Item 43.1:

The Compliance Certification activity will be performed for the Facility.

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power.

The engine must be installed and configured according to the manufacturer's specifications.

The manufacturer's certification of compliance with the emission standards specified in 40 CFR 60 Subpart IIII for major pollutants will be sent to the Department prior to commencement of operation of the engines.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 44: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4214(b), NSPS Subpart IIII

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Item 44.1:

The Compliance Certification activity will be performed for the Facility.

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For stationary CI internal combustion engines that are emergency stationary internal combustion engines, the owner or operator is not required to submit an initial notification.

Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter.

The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 45: Subpart A provisions that apply to facilities subject to Subpart JJJJ Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4246, NSPS Subpart JJJJ

Item 45.1:

The following provisions of 40 CFR 60 Subpart A apply to this facility: 60.1 through 60.12, 60.14 through 60.17 and 60.19.

**** Emission Unit Level ****

Condition 46: Emission Point Definition By Emission Unit Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 46.1:

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



Emission Unit: 1-LFGTE

Emission Point: 00001
Height (ft.): 28 Diameter (in.): 15
NYTMN (km.): 4688.317 NYTME (km.): 303.431

Emission Point: 00002
Height (ft.): 28 Diameter (in.): 15
NYTMN (km.): 4688.317 NYTME (km.): 303.431

Emission Point: 00003
Height (ft.): 28 Diameter (in.): 15
NYTMN (km.): 4688.317 NYTME (km.): 303.431

Emission Point: 00004
Height (ft.): Length (in.): Width (in.):
NYTMN (km.): 4688.317 NYTME (km.): 303.431

**Condition 47: Process Definition By Emission Unit
Effective between the dates of 06/13/2016 and 06/12/2021**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 47.1:

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

Emission Unit: 1-LFGTE
Process: GAS Source Classification Code: 2-01-008-02
Process Description:

Treated landfill gas from Bath Landfill is combusted in three internal combustion engines. One Caterpillar G3520C engine consumes approximately 531 standard cubic feet per minute (scfm) of landfill gas at 50 % methane. At this time, only two (2) of the three (3) permitted engines have been installed at the SREC Bath, NY facility.

Emission Source/Control: ENG01 - Combustion
Design Capacity: 2,233 horsepower (electric)

Emission Source/Control: ENG02 - Combustion
Design Capacity: 2,233 horsepower (electric)

Emission Source/Control: ENG03 - Combustion
Design Capacity: 2,233 horsepower (electric)

Item 47.2:

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

Emission Unit: 1-LFGTE
Process: GEN Source Classification Code: 2-01-002-02
Process Description:

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Process GEN represents emissions from the small stationary compress-ignition (CI) engine-generator set that provides backup to the LFGTE facility in the event of a power outage. The generator does not operate above the exempt limit of 500 hours per year. However, this unit has been placed within the Emission Unit (1-LFGTE) due to 40 CFR 63 Subpart ZZZZ applicability.

Emission Source/Control: EMERG - Process

Condition 48: Process Permissible Emissions Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:6 NYCRR 201-7.1

Item 48.1:

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Table with 2 columns: Emission Unit (1-LFGTE) and Process (GAS). Rows list contaminants: CARBON MONOXIDE (CAS No: 000630-08-0, PTE: 57.08 pounds per hour, 500,000 pounds per year) and OXIDES OF NITROGEN (CAS No: 0NY210-00-0, PTE: 22.82 pounds per hour, 200,000 pounds per year).

Condition 49: Applicability of facilities subject to Subpart JJJJ Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ

Item 49.1:

This Condition applies to Emission Unit: 1-LFGTE

Item 49.2: The provisions of 40 CFR 60 Subpart JJJJ are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) that commence construction after June 12, 2006, and where the stationary SI ICE are manufactured on or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP). For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Condition 50: Compliance Certification

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engines initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

Upper Permit Limit: 5.0 grams per brake horsepower-hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/11/2017 for the period 06/13/2016 through 12/12/2016

Condition 51: Compliance Certification

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

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

Item 51.2:

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engines initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

Upper Permit Limit: 3.0 grams per brake horsepower-hour

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 7/30/2016.

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

Condition 52: Compliance Certification

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4233(e), NSPS Subpart JJJJ

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engines initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



demonstrate compliance.

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 01/11/2017 for the period 06/13/2016 through 12/12/2016

Condition 53: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

**Applicable Federal Requirement: 40CFR 60.4243(a)(1), NSPS Subpart
JJJJ**

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Regulated Contaminant(s):

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

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If you are an owner of a stationary SI internal combustion engine greater than 500 HP that combusts landfill gas, and must comply with the emission standards specified in 40 CFR 60.4233(e), you must demonstrate compliance according to (1) or (2) specified below:

1) Purchasing an engine certified according to procedures specified in 40 CFR 60 Subpart JJJJ, for the same model year and demonstrating compliance according to one of the methods specified in 40 CFR 60.4243(a):

i. If you operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, you must keep records of conducted maintenance to demonstrate compliance, but no performance testing is required if you are an owner or operator.

ii. If you do not operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, your engine will be



considered a non-certified engine, and you must demonstrate compliance according to the requirements specified for non-certified engines, given in item (2) below.

2) Purchasing a non-certified engine and demonstrating compliance with emission standards specified in 40 CFR 60.4233(e) according to the requirements specified in 40 CFR 60.4244, as applicable. In addition, for engines that are greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours of operation or 3 years, whichever comes first, thereafter to demonstrate compliance.

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 7/30/2016.

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

Condition 54: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement: 40CFR 60.4243(b)(2)(ii), NSPS Subpart

JJJJ

Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary SI internal combustion engine greater than 500 HP must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the owner or operator must conduct an initial performance test and subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



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 7/30/2016.

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

Condition 55: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4245(a), NSPS Subpart JJJJ

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of stationary SI ICE that are subject to the provisions of 40 CFR Subpart JJJJ must meet the following notification, reporting and recordkeeping requirements.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



**Condition 56: Applicability of new RICE at an area source of HAP
Effective between the dates of 06/13/2016 and 06/12/2021**

Applicable Federal Requirement:40CFR 63.6590(a)(2), Subpart ZZZZ

Item 56.1:

This Condition applies to Emission Unit: 1-LFGTE

Item 56.2:

A stationary reciprocating internal combustion engine (RICE) located at an area source of HAP emissions is new if construction or reconstruction commenced on or after June 12, 2006.

**Condition 57: Stationary RICE subject to regulations under 40 CFR Part
60**

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 63.6590(c), Subpart ZZZZ

Item 57.1:

This Condition applies to Emission Unit: 1-LFGTE

Item 57.2:

An affected source that meets any of the criteria listed below must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines or 40 CFR part 60 subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

- new or reconstructed stationary RICE located at an area source,
- new or reconstructed 2SLB stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions,
- new or reconstructed 4SLB stationary RICE with a site rating of less than 250 brake horsepower located at a major source of HAP emissions,
- new or reconstructed spark ignition 4 stroke rich burn (4SRB) stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions,
- new or reconstructed stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions which combusts landfill or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis,
- new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions,
- new or reconstructed compression ignition (CI) stationary RICE with a site rating of less than or equal to 500 brake horsepower located at a major source of HAP emissions.

**Condition 58: Compliance Dates for new RICE at an area source of HAP
Effective between the dates of 06/13/2016 and 06/12/2021**

Applicable Federal Requirement:40CFR 63.6595(a)(7), Subpart ZZZZ

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Item 58.1:

This Condition applies to Emission Unit: 1-LFGTE

Item 58.2:

If the facility starts up a new or reconstructed stationary RICE located at an area source of HAP emissions after January 18, 2008, the facility must comply with the applicable emission limitations and operating limitations in subpart ZZZZ upon startup.

Condition 59: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

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

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE
Process: GAS

Item 59.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. The facility will perform a visual observation on a daily basis. If any opacity is noted, corrective action will be taken immediately or a Method 9 will be performed within two business days.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: EPA Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: 6 MINUTE AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2016.
Subsequent reports are due every 6 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4205(b), NSPS Subpart IIII

Item 60.1:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Emission Unit: 1-LFGTE
Process: GEN

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a stationary compression ignition internal combustion engine with a displacement of less than 30 liters per cylinder and which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel above a maximum aromatic content of 35 percent per gallon as referenced in 40 CFR Part 80.510(b) except that any diesel fuel purchased or otherwise obtained prior to October 1, 2010 may be used until depleted. Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the aromatic content for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: AROMATIC CONTENT

Upper Permit Limit: 35 percent

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 62: Compliance Certification

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4207(b), NSPS Subpart IIII

Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE
Process: GEN

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner or operator of a stationary compression ignition internal combustion engine displacing less than 30 liters per cylinder and which is subject to the requirements of subpart IIII of 40 CFR Part 60 may not fire diesel fuel below a minimum cetane index of 40 as referenced in 40 CFR Part 80.510(b) except that any diesel fuel purchased or otherwise obtained prior to October 1, 2010 may be used until depleted. Compliance shall be demonstrated by either sampling each delivery and conducting an appropriate analysis or by obtaining a certificate of analysis showing the cetane index for each shipment of diesel fuel provided by the fuel supplier. In either case, the owner or operator must verify that any required fuel analysis has been conducted using methodology acceptable to the Department. Records of all certificates of analysis provided by the fuel supplier and on-site fuel sampling results must be maintained on site for a minimum of five years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DIESEL OIL

Parameter Monitored: CETANE INDEX

Lower Permit Limit: 40 ratio

Monitoring Frequency: PER DELIVERY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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

Condition 63: Compliance Certification

Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4207(b), NSPS Subpart IIII

Item 63.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Process: GEN

Item 63.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159

The owner or operator of an emergency stationary compression ignition IC engine must install and maintain a non-resettable hour meter prior to startup to monitor engine usage

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 7/30/2016.

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

Condition 65: Compliance Certification
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement:40CFR 60.4211(a), NSPS Subpart IIII

Item 65.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Process: GEN

Item 65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary CI internal combustion engine must comply with the emission standards specified in 40 CFR 60 Subpart IIII and must do all of the following:

(1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

(2) Change only those emission-related settings that are permitted by the manufacturer; and

(3) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to the facility

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 7/30/2016.

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

Condition 66: Compliance Certification



Effective between the dates of 06/13/2016 and 06/12/2021

Applicable Federal Requirement: 40CFR 60.4211(f), NSPS Subpart IIII

Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-LFGTE

Process: GEN

Item 66.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in 40 CFR 60.4211(f)(2). Except as provided in paragraph (i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. There is no time limit on the use of emergency stationary ICE in emergency situations.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

(D) The power is provided only to the facility itself or to support the local transmission and distribution

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



system.

(E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

Parameter Monitored: HOURS OF OPERATION

Upper Permit Limit: 50 hours per year

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2016.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;

(3) During the period of the emergency the facility owner 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 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 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 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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 67: Contaminant List
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable State Requirement:ECL 19-0301

Item 67.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

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

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

Condition 68: Malfunctions and start-up/shutdown activities
Effective between the dates of 06/13/2016 and 06/12/2021

Applicable State Requirement:6 NYCRR 201-1.4

Item 68.1:
(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

New York State Department of Environmental Conservation

Permit ID: 8-4624-00159/00001

Facility DEC ID: 8462400159



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

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

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

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

