



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-0270-00025/00013
Mod 0 Effective Date: 07/18/2001 Expiration Date: No expiration date.
Mod 1 Effective Date: 05/28/2002 Expiration Date: No expiration date.
Mod 2 Effective Date: 01/28/2008 Expiration Date: No expiration date.

Permit Issued To:ALSTOM POWER AIR PREHEATER COMPANY
3020 TRUAX ROAD
WELLSVILLE, NY 14895

Contact: THOMAS J BARNETT
3020 TRUAX ROAD
WELLSVILLE, NY 14895
(585) 596-2644

Facility: ALSTOM POWER INC AIR PREHEATER CO
3020 TRUAX RD
WELLSVILLE, NY 14895-0372

Description:

Alstom Power Air Preheater is located in Wellsville, NY and manufactures heat exchangers and air pollution equipment. The facility presently has two paint spray booths, an abrasive blast operation and a waste water evaporator. This modification adds a third paint spray booth (Emission Point 00016). Even though a third paint spray booth is being added, the total annual emissions of VOC will remain unchanged. Therefore, its annual emissions for Volatile Organic Compounds (VOC) can and will continue to be capped at 45 tons per year (tpy). Since this is below Title V permit applicability threshold of 50 tpy the facility avoids the permit requirements of Title V. This permit also reflects the removal of an abrasive blast operation (Emission Point 00014) which was replaced with a new abrasive blast operation. Emissions from the abrasive blast operation will be now vented inside the plant. Emission Unit E-00002 has been deleted from the permit because the removed Emission Point 00014 was its only source.

Alstom Power has the potential to emit more than 10 tons per year of Volatile Organic Compounds (VOC) and its coating operation is classified under fabricated metal parts in Table 1 of Part 228 which contains a requirement for VOC Reasonable Available Control Technology (RACT). The previous permit contained a variance from the requirements of VOC RACT because some of the coatings used in the fabrication of thermal oxidizers had to withstand extreme temperatures and could not meet VOC content limit specified in Part 228 Table 1 (3.5 lbs/gallon). These thermal oxidizers are no longer manufactured at Alstom's Wellsville plant thereby substantially reducing their need for non-compliant specialty coatings. Therefore, the RACT variance condition which allows the use of non-compliant coatings has been modified to establish a limit of 150 gallons during any 12 month period for non-compliant specialty surface coatings. This limit ensures that the RACT analysis done previously will not need to be revised.



However, the facility will still be required to regularly evaluate alternative compliant surface coatings and report on the feasibility of their use and if found to be feasible, implement their use.

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

Permit Administrator: DAVID S DENK
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

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
 - Applications for Permit Renewals and Modifications
 - Permit modifications, suspensions or revocations by the Department
 - Applications for Permit Renewals and Modifications
 - Permit Modifications, Suspensions and Revocations by the Department
 - Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS



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

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 2-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 2-1.1:

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

Item 2-1.2:

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

Item 2-1.3:

Permits are transferrable with the approval of the department unless specifically prohibited by



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

Condition 1-1: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

Item 1-1.1:

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

Item 1-1.2:

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

Item 1-1.3:

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

Condition 2-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:

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

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

Condition 3: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6NYCRR 621.13(a)

Expired by Mod No: 1

Item 3.1:

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



granted by the Department must be in writing.

Item 3.2:

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

Condition 1-2: Permit Modifications, Suspensions and Revocations by the Department

Applicable State Requirement: 6NYCRR 621.14

Item 1-2.1:

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

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

Condition 4: Permit Modifications, Suspensions, and Revocations by the Department

Applicable State Requirement: 6NYCRR 621.14

Expired by Mod No: 1

Item 4.1:

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

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

**** Facility Level ****

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.5(a)



Item 5.1:

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

NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165

Condition 2-3: Submission of application for permit modification or renewal-REGION 9

HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.6(a)

Item 2-3.1:

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

NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To:ALSTOM POWER AIR PREHEATER COMPANY
3020 TRUAX ROAD
WELLSVILLE, NY 14895

Facility: ALSTOM POWER INC AIR PREHEATER CO
3020 TRUAX RD
WELLSVILLE, NY 14895-0372

Authorized Activity By Standard Industrial Classification Code:
3443 - FABRICATED PLATE WORK (BOILER SHOPS)
3449 - MISCELLANEOUS METAL WORK

Mod 0 Permit Effective Date: 07/18/2001
date.

Permit Expiration Date: No expiration

Mod 1 Permit Effective Date: 05/28/2002
date.

Permit Expiration Date: No expiration

Mod 2 Permit Effective Date: 01/28/2008
date.

Permit Expiration Date: No expiration



LIST OF CONDITIONS

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 - Applications for Permit Renewals and Modifications
 - Permit Modifications, Suspensions and Revocations by the Department
 - Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

- Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 2-1 6NYCRR 201-7: Facility Permissible Emissions
- *2-2 6NYCRR 201-7: Capping Monitoring Condition
- 2-3 6NYCRR 212.4(c): Compliance Demonstration
- 2-4 6NYCRR 228.4: Compliance Demonstration

Emission Unit Level

EU=E-00001

- *2-5 6NYCRR 201-7: Capping Monitoring Condition
- 19 6NYCRR 228.5(a): reports, recordkeeping, sampling and analysis
- 20 6NYCRR 228.6(a): prohibition of sale or specification
- 2-6 6NYCRR 228.7: Compliance Demonstration
- 22 6NYCRR 228.10: Handling, storage and disposal of volatile organic compounds

EU=E-00003

- 2-7 6NYCRR 212.4(a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 1-2 ECL 19-0301: Contaminant List
- 2-8 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 38 6NYCRR 201-5: Emission Unit Definition
- 40 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 41 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 42 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

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

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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



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

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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

Item L: Open Fires - 6 NYCRR Part 215

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

Item M: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS



The following conditions are federally enforceable.

Condition 2-1: Facility Permissible Emissions
Effective between the dates of 01/28/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 2-1.1:

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

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

CAS No: 0NY998-00-0 (From Mod 2) PTE: 90,000 pounds
per year
Name: VOC

Condition 2-2: Capping Monitoring Condition
Effective between the dates of 01/28/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 2-2.1:

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

6NYCRR 201-6.1

Item 2-2.2:

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

Item 2-2.3:

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

Item 2-2.4:

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

Item 2-2.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement,



for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 2-2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

- 1.) The facility volatile organic compound (VOC) emissions are limited to 45 tons per year. By limiting emissions to 45 tons per year the facility is not subject to the Title V permitting requirements of Part 201.

- 2.) The permittee shall track VOC emissions by tracking VOC usage in processes throughout the facility, primarily surface coating. VOC emissions shall be determined by tracking the quantity of VOC in each VOC containing compound purchased during each month. All VOC in raw materials shall be considered to be emitted to the atmosphere. The calculation consists of multiplying the VOC content by the quantity of each VOC containing compound purchased during the month.

- 3.) By the 30th day of each month, the facility shall calculate VOC emitted from the facility for the preceding calendar month and sum emissions for the preceding 12 month period. This will cause a monthly total and 12 month total to be calculated. This information shall be kept in a log. This log shall be kept on site and made available to the Department upon request during normal business hours. All purchase records and VOC chemical analysis data sheets shall be retained on site for a 5 year period.

Parameter Monitored: VOC

Upper Permit Limit: 45 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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



Condition 2-3: Compliance Demonstration
Effective between the dates of 01/28/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 212.4(c)

Item 2-3.1:

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

Emission Unit: E-00001 Emission Point: 00002

Emission Unit: E-00001 Emission Point: 00003

Emission Unit: E-00001 Emission Point: 00009

Emission Unit: E-00001 Emission Point: 00010

Emission Unit: E-00001 Emission Point: 00016

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

Item 2-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing shall be conducted at the request of the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-4: Compliance Demonstration
Effective between the dates of 01/28/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 228.4

Item 2-4.1:

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

Emission Unit: E-00001 Emission Point: 00002



Emission Unit: E-00001	Emission Point: 00003
Emission Unit: E-00001	Emission Point: 00009
Emission Unit: E-00001	Emission Point: 00010
Emission Unit: E-00001	Emission Point: 00016

Item 2-4.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall cause or allow emissions to the outdoor atmosphere having an average opacity of 20 percent or greater for any consecutive six-minute period from any emission source subject to 6NYCRR Part 228. The Department reserves the right to perform or require the performance of an EPA Method 9 opacity evaluation.

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 (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

Condition 2-5: Capping Monitoring Condition

Effective between the dates of 01/28/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 201-7

Item 2-5.1:

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

6NYCRR 228.3(e)

Item 2-5.2:

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

Item 2-5.3:

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.



Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 2-5.4:

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

Item 2-5.5:

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

Item 2-5.6:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-5.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

- 1.) LIMIT- The facility is limited to the use of 150 gallons of surface coatings in any 12 month period which do not comply with the VOC content limit (3.5 lbs/gallon excluding water and exempt solvents) contained in Table 1 of Part 228. This variance is limited to "Flame Control 850" surface coating or equivalent coating(s) approved by the Department.
- 2.) RECORDKEEPING - The source owner must maintain records of non-compliant surface coating usage during each month and each rolling calendar 12 month period and maintain such information in a log kept on site and readily accessible. Such records shall also include MSDS sheets and purchase records etc.
- 3.) QUARTERLY REPORTS - The source owner must continue to investigate compliance strategies and submit quarterly reports documenting the evaluation of either reformulation, abatement technology or process modification. The written report must include the results and specific dates the testing or evaluation. The names of



vendors which can independently verify the testing or engineering evaluation must also be supplied to the Department.

4.) ANNUAL REPORTS - The firm shall provide the Department with an annual report at 270 Michigan Avenue, Buffalo which contains the following:

a.) The number of gallons of non - compliant surface coatings used during each 12 month period for the preceding 12 months - which is tracked monthly.

b.) Number of pounds of VOCs contained in the non-compliant surface coatings consumed for each rolling 12 month period in item a.) above.

c.) Identification of each non-compliant coating consumed in the preceding 12 month period.

d.) All VOC records and calculations shall be kept on site for a minimum of 5 years. This information shall be made available to the Department's inspector upon request.

5.) The Department's inspectors shall have access to the facility for inspection of sources subject to this variance during normal business hours.

6.) Any increase in the non-compliant usage above 150 gallons for any 12 month period shall be grounds to revoke this variance.

7.) Background - The facility completed a Reasonably Available Control Technology (RACT) analysis for the limited use of non-compliant surface coatings which demonstrated that the cost of controlling VOC from these surface coatings to be \$17,625/ton. This demonstrated that control, while technically feasible, would not be reasonable based on cost. Therefore, a single source State Implementation Plan (SIP) revision was prepared and forwarded to the Central Office for processing on 08/03/02. The RACT analysis was based the emission of 9.6 tons per year of VOC. The maximum VOC content of the non-compliant surface coating currently in use is 5.2 lbs/gallon. Assuming the maximum of 150 gallons of non-compliant surface coatings used per year, a maximum of 780 lbs of VOC per year would be emitted under this variance.

Parameter Monitored: PAINT
Upper Permit Limit: 150 gallons per year
Monitoring Frequency: MONTHLY



Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2009.

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

Condition 19: reports, recordkeeping, sampling and analysis
Effective between the dates of 07/18/2001 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 228.5(a)

Item 19.1:

This Condition applies to Emission Unit: E-00001

Item 19.2:

Certification from the coating supplier/manufacturer which verifies the parameters used to determine the actual VOC content of the as applied coating, for each coating used at the facility, must be maintained and, upon request, be provided to the departments representative. In addition, purchase, usage and/or production records of the coating material, including solvents, must be maintained and, upon request, be submitted to the department. Records must be maintained at the facility for a period of five years.

Condition 20: prohibition of sale or specification
Effective between the dates of 07/18/2001 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 228.6(a)

Item 20.1:

This Condition applies to Emission Unit: E-00001

Item 20.2:

No person shall sell, specify, or require for use the application of a coating on a part or product at a facility with a coating line described in table 1 or 2 of 6NYCRR Part 228 if such use is prohibited. This prohibition shall apply to all written or oral contracts under the terms of which any coating is to be applied to any part or product at an affected facility.

This prohibition shall not apply to the following:

(1) coatings utilized at surface coating lines where control equipment has been installed to meet the allowable VOC content limitations specified in tables 1 and 2 of Part 228;

(2) coatings utilized at surface coating lines where a coating system is used which meets the requirements specified in Part 228; and

(3) coatings utilized at surface coating lines that have been granted variances for reasons of technological and economic feasibility.

Condition 2-6: Compliance Demonstration
Effective between the dates of 01/28/2008 and Permit Expiration Date

Applicable Federal Requirement:6NYCRR 228.7



Item 2-6.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 2-6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

For the surface coatings of miscellaneous metal parts and products, extreme performance coatings that are not specifically mentioned in Alstom's RACT variance (See permit conditions for Part 201-7.2 referring to Part 228.3(e)) the maximum permitted content of each coating shall be 3.5 pounds of volatile organic compounds (VOC) per gallon of coating (minus water and excluded VOC) as applied. Monthly monitoring of the VOC content to evaluate compliance with the above limit shall include the following:

- 1) Recording in a log the VOC content, coating name (item description and number), and usage, updated monthly.
- 2) Each time a new or reformulated coating is purchased a record shall be kept showing the material was evaluated for compliance, including its VOC content, allowable VOC content, and coating name and vender. If necessary EPA Method 24 shall be used to determine the VOC content.
- 3) The facility shall have Material Safety Data Sheets or Product Specification Data Sheets for each coating on site, and available for Department review.
- 4) The compliance status of this condition shall be reported to the Department in the firm's annual report (see permit conditions for Part 228.3(e) for additional required items for the annual report).

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: VOC's

Parameter Monitored: VOC CONTENT

Upper Permit Limit: 3.5 pounds per gallon

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION



Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 22: Handling, storage and disposal of volatile organic compounds
Effective between the dates of 07/18/2001 and Permit Expiration Date
Applicable Federal Requirement:6NYCRR 228.10

Item 22.1:
This Condition applies to Emission Unit: E-00001

Item 22.2:
No owner or operator of a facility subject to 6NYCRR Part 228 shall:

- (a) use open containers to store or dispose of cloth or paper impregnated with VOC and/or solvents that are used for surface preparation, cleanup, or coating removal;
- (b) store in open containers spent or fresh VOC and/or solvents to be used for surface preparation, cleanup, or coating removal;
- (c) use VOC and/or solvents to cleanup spray equipment unless equipment is used to collect the cleaning compounds and to minimize their evaporation to the atmosphere;
- (d) use open containers to store or dispense surface coatings and/or inks unless production, sampling, maintenance, or inspection procedures require operational access. This provision does not apply to the actual device or equipment designed for the purpose of applying a coating material to a substrate; or
- (e) use open containers to store or dispose of spent surface coatings, spent VOCs and/or solvents.

Condition 2-7: Compliance Demonstration
Effective between the dates of 01/28/2008 and Permit Expiration Date
Applicable Federal Requirement:6NYCRR 212.4(a)

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

Emission Unit: E-00003

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

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

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:



1.) In order to demonstrate compliance with the emission limits regulated by Part 212, toxic air pollutant emissions from the wastewater evaporator shall be evaluated. The evaluation shall be done according to the procedures in DAR - 1 (formerly Air Guide 1).

2.) Within 30 days after the issuance of this permit, the facility shall submit a work plan for representative sampling and analysis of wastewater for air pollutants listed in DAR - 1 and their emission rate from the evaporator for Department review and approval. The work plan shall include a schedule for completing the sampling and analysis, conducting the DAR - 1 evaluation and submission of a preliminary report. For the purposes of this evaluation all contaminants of concern shall be assumed to be emitted to the atmosphere in conducting the DAR - 1 impact analysis .

3.) The work plan shall evaluate what contaminants may be entering the wastewater evaporator and determine appropriate sampling and analytical methods and explain how the evaluation was made. Semi-volatiles and volatiles shall be evaluated according to EPA Method 8260 for volatiles and 8270 for semi-volatiles. The EPA test methods for any metal of concern shall also be specified. Low quantification levels shall be specified for testing.

4.) In the event that the report concludes that any DAR - 1 impact levels are being exceeded, the preliminary report shall include a corrective action plan for each contaminant exceeding DAR -1 guidance levels for review and approval by the Department.

5.) The submission of the final report (which includes results from sampling, DAR -1 analysis and any corrective measures being proposed) shall not exceed 120 days from the date of issuance of this permit.

6.) All plans and reports shall be submitted to the Division of Air Resources at 270 Michigan Avenue, Buffalo, NY.

7.) The Department may require the above evaluation to be repeated by written request based on any concern that the short term or long term guidance values in DAR - 1 are at risk of being exceeded.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

New York State Department of Environmental Conservation

Permit ID: 9-0270-00025/00013

Facility DEC ID: 9027000025





STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.



Condition 1-2: Contaminant List
Effective between the dates of 05/28/2002 and Permit Expiration Date

Applicable State Requirement:ECL 19-0301

Item 1-2.1:

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

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

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

Condition 2-8: Unavoidable noncompliance and violations
Effective between the dates of 01/28/2008 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-1.4

Item 2-8.1:

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

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

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



applicable requirements more stringent than those above.

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

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 38: Emission Unit Definition
Effective between the dates of 07/18/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 38.1(From Mod 2):

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

Emission Unit: E-00001

Emission Unit Description:

THE FACILITY'S MAIN PAINT AND COATINGS
SPRAYING AND DRYING AREAS CONTAIN 3 PAINT
SPRAY BOOTHS (NOTE: CONTAINS 5 STACKS).
THESES ARE UTILIZED IN THE SPRAY PAINTING
OF VARIOUS ITEMS (BOTH PARTS AND FINISHED
PRODUCTS) MANUFACTURED AT THE ASTOM POWER
FACILITY .

Building(s): 004

Item 38.2(From Mod 2):

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

Emission Unit: E-00003

Emission Unit Description:

EMISSION UNIT CONTAINS A WASTEWATER
EVAPORATOR SYSTEM WHICH IS UTILIZED TO
SEPARATE MACHINE TOOL COOLANTS AND OTHER
IMPURITIES SUCH AS OILS AND GREASES FROM
WASTEWATER. WATER IS EVAPORATED AND THE LOW
PRESSURE IMPURITIES FROM MACHINE TOOL
COOLANTS, PROCESS WATER FROM COMPRESSORS,
AND PROCESS WATER FROM PLASMA ARC CUTTING
TORCH BURN TABLE REMAIN IN THE SYSTEM.



Building(s): 004

Condition 40: Air pollution prohibited
Effective between the dates of 07/18/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 211.2

Item 40.1:

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

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

Condition 41: Emission Point Definition By Emission Unit
Effective between the dates of 07/18/2001 and Permit Expiration Date

Applicable State Requirement:6NYCRR 201-5

Item 41.1(From Mod 2):

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

Emission Unit: E-00001

Emission Point: 00002

Height (ft.): 65

Diameter (in.): 60

NYTMN (km.): 4668.3

NYTME (km.): 259.

Emission Point: 00003

Height (ft.): 65

Diameter (in.): 60

NYTMN (km.): 4668.3

NYTME (km.): 258.9

Emission Point: 00009

Height (ft.): 55

Diameter (in.): 54

NYTMN (km.): 4668.3

NYTME (km.): 258.9

Emission Point: 00010

Height (ft.): 55

Diameter (in.): 54

NYTMN (km.): 4668.3

NYTME (km.): 258.9

Emission Point: 00016

Height (ft.): 65

Diameter (in.): 42

NYTMN (km.): 4668.3

NYTME (km.): 258.9

Building: 004

Item 41.2(From Mod 2):

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



Emission Unit: E-00003

Emission Point: 00015

Height (ft.): 55

Diameter (in.): 4

NYTMN (km.): 4668.3

NYTME (km.): 258.9

**Condition 42: Process Definition By Emission Unit
Effective between the dates of 07/18/2001 and Permit Expiration Date**

Applicable State Requirement:6NYCRR 201-5

Item 42.1(From Mod 2):

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

Emission Unit: E-00001

Process: 001

Process Description:

FABRICATED METAL PARTS ARE PAINTED USING SEVERAL PAINT SPRAY BOOTHS. THE PARTS ARE AIR DRIED.

Emission Source/Control: 00002 - Control

Control Type: MAT OR PANEL FILTER

Emission Source/Control: 00004 - Control

Control Type: MAT OR PANEL FILTER

Emission Source/Control: 00010 - Control

Control Type: FIBERGLASS FILTER

Emission Source/Control: 00008 - Process

Emission Source/Control: 00009 - Process

Emission Source/Control: 00011 - Process

Item 42.2(From Mod 2):

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

Emission Unit: E-00003

Process: 003

Process Description:

PROCESS CONTAINS A WASTEWATER EVAPORATOR SYSTEM WHICH IS UTILIZED TO SEPARATE MACHINE TOOL COOLANTS AND OTHER LOW VAPOR PRESSURE IMPURITIES FROM WASTEWATER.

Emission Source/Control: 00007 - Process

