



public noticed on March 27, 2013. The Sierra Club submitted comments on the Title V renewal on April 25, 2013. The most significant comments were about the coal burning boilers, but some were also about this project and boiler #10. This project was separated out from the Title V renewal into an Air State Facility Permit so The Sierra Club comments regarding boiler #10 and this project could be addressed, and allow Jamestown BPU to proceed with construction so the conversion can be completed before the 2013-14 heating season.

The project is for the conversion of boiler #10 from a 190 MMBtu/hr coal fired to a 198 MMBtu/hr exclusively natural gas fired boiler with low NO_x burners and flue gas recirculation. This permit limits the heat input to boiler #10 to 607,000 million Btu per year to avoid requirements of New Source Review and additional monitoring, recordkeeping, and reporting requirements under the Reasonable Possibility Requirements of 6NYCRR Part 231-11(c). This heat input limitation will keep the Potential to Emit for all contaminants from boiler #10 below 50% of the Significant Project Thresholds in 6NYCRR Part 231-13. The heat input limit effectively limits potential NO_x emissions to 18.2 tons per year, using the NO_x Reasonably Available Control Technology (RACT) limit of 0.06 pounds per million BTU, which is less than the current limit of 145 tons of NO_x from this emission unit, EU 00004. *The heat input limit sets the annual capacity factor for boiler 10 at 35%.*

The carbon monoxide and nitrogen oxide emission impacts from boiler #10 burning natural gas were modeled and are less than the National Ambient Air Quality Standards for carbon monoxide and nitrogen dioxide.

Conditions for the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters [40 CFR Part 63.7480, subpart DDDDD (5D's)] are included in this permit for boiler #10, and require an energy assessment and periodic tune-ups.

Since the draft Title V renewal permit was public noticed the NO_x RACT limit, 0.06 lb NO_x/MMBtu, from 6NYCRR Part 227-2.4(b)(1)(ii) was added to the State Implementation Plan (SIP), making it federally enforceable. This federally enforceable limit is included in the federal portion of this permit. Periodic emission testing will be conducted on boiler #10 to evaluate compliance with the NO_x limit. An initial compliance test is due within 180 days of commencing operation and additional compliance testing is required every 5 years (20 calendar quarters). The state NO_x RACT program does not require to use of a Continuous Emission Monitoring System (CEMS) to monitor NO_x emissions; see 6NYCRR Part 227-2.6(a)(2). Boiler 10 qualifies as a Low Mass Emitter in the Acid Rain Program (Title IV) and is not required to monitor emissions with NO_x CEMS; see 40 CFR 75.19. The 5 year testing schedule matches the fuel-and-unit-specific NO_x emission rate test required every five years (20 calendar quarters) by the Acid Rain Program; see 40CFR 75.19(c)(iv)(D).

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict

New York State Department of Environmental Conservation
Facility DEC ID: 9060800053



compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: DOUGLAS E BORSCHER
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2915

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 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 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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



Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 9 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 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2915
(716) 851-7165

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00034

Facility DEC ID: 9060800053



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: JAMESTOWN BOARD OF PUBLIC UTILITIES
92 STEELE ST
PO BOX 700
JAMESTOWN, NY 14701-0700

Facility: SAMUEL A CARLSON GENERATING STATION
136 STEELE ST
JAMESTOWN, NY 14701-6438

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

Permit Effective Date:

Permit Expiration Date:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 211.1: Air pollution prohibited
- 3 40CFR 63.7545(e), Subpart DDDDD: Notification of compliance status

Emission Unit Level

- 4 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions

EU=U-00004,EP=00004

- *5 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 6 6 NYCRR 227-2.4 (b): Compliance Demonstration
- 7 6 NYCRR 231-11.2 (b): Compliance Demonstration
- 8 40CFR 63.7510(e), Subpart DDDDD: Compliance Demonstration
- 9 40CFR 63.7540(a), Subpart DDDDD: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 10 ECL 19-0301: Contaminant List
- 11 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 12 6 NYCRR Subpart 201-5: Emission Unit Definition
- 13 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 14 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 15 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level

- 16 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 17 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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



required to operate such device effectively.

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

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

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Emergency Defense - 6 NYCRR 201-1.5

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

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

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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



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

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

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

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

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

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

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

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

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

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



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

Item K: Open Fires Prohibitions - 6 NYCRR 215.2
Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item L: Permit Exclusion - ECL 19-0305
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: Federally Enforceable Requirements - 40 CFR 70.6 (b)
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Acceptable Ambient Air Quality



Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:

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

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

Applicable Federal Requirement:6 NYCRR 211.1

Item 2.1:

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 3: Notification of compliance status
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63.7545(e), Subpart DDDDD

Item 3.1:

Owners and operators that are required to conduct an initial compliance demonstration as specified in 40 CFR 63.7530 must submit a Notification of Compliance Status according to 40 CFR 63.9(h)(2)(ii). For the initial compliance demonstration for each affected source, the owner or operator must submit the Notification of Compliance Status, including all performance test results and fuel analyses, before the close of business on the 60th day following the completion of all performance test and/or other initial compliance demonstrations for the affected source according to 40 CFR 63.10(d)(2). The Notification of Compliance Status report must contain all the information specified in 40 CFR 63.7545(e)(1) through (8), as applicable.

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

Condition 4: Emission Unit Permissible Emissions
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 4.1:



The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: U-00004

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 36,420 pounds per year

**Condition 5: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 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:

6 NYCRR Subpart 231-6

6 NYCRR Subpart 231-8

6 NYCRR 231-11.2 (c)

Item 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 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 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 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 5.6:

The Compliance Demonstration activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00034

Facility DEC ID: 9060800053



Emission Unit: U-00004

Emission Point: 00004

Regulated Contaminant(s):

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

Item 5.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

- 1) The heat input to boiler #10 shall be limited to 607,000 million British thermal units per year (MMBtu/yr) on a per 52-week rolling total basis. This limitation is being taken to avoid New Source Review and to avoid additional monitoring, recordkeeping, and reporting requirements under the Reasonable Possibility Requirements of 6NYCRR Part 231-11(c).
- 2) The weekly heat input shall be determined in accordance with the Low Mass Emissions (LME) methodology in 40 CFR 75.19(c) using a fuel flow meter that shall be certified and maintained according to 40 CFR Part 75, Appendix D.
- 3) The fuel flow meter readings along with the daily, weekly and 52-week rolling total heat inputs shall be recorded in a manner acceptable to the department. These records must be available to the department upon request.
- 4) The weekly and 52-week rolling total heat inputs shall be reported semi-annually.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NATURAL GAS

Upper Permit Limit: 607,000 million British thermal units per year

Monitoring Frequency: WEEKLY

Averaging Method: ANNUAL TOTAL ROLLED WEEKLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 6: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 227-2.4 (b)

Item 6.1:

The Compliance Demonstration activity will be performed for:



Emission Unit: U-00004

Emission Point: 00004

Regulated Contaminant(s):

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

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1) Boiler 10 (emission source 00007) is a "large boiler" as defined under Part 227-2 and fires pipeline quality natural gas only. Emission of NO_x from this boiler shall not exceed 0.06 lbs NO_x per MMBtu. This limit satisfies the current (prior to July 1, 2014) and future (on and after July 1, 2014) NO_x RACT requirements of 6 NYCRR 227-2.4(b)(1)(i) and (ii).

2) The facility has opted to follow the procedures in 40 CFR 75.19 (Low Mass Emissions [LME] methodology) to determine NO_x emissions from boiler #10. LME methodology uses a fuel flow meter that shall be certified and maintained according to 40 CFR Part 75, Appendix D, and default emission factors or emission testing results.

3) Compliance with the NO_x limit shall be based on a initial stack test in accordance with test requirements described in 6 NYCRR 227-2.6(c) and 40 CFR 75.19(c)(1)(iv). Subsequent stack tests shall be performed every 20 calendar quarters thereafter. A compliance test report containing the results of the emission test shall be submitted to the department for approval no later than 60 days after completion of each emission test.

Upper Permit Limit: 0.06 pounds per million Btus

Reference Test Method: EPA Method 7, 7E, or 19 from 40 CFR Part 60, App A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 7: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR 231-11.2 (b)

Item 7.1:

The Compliance Demonstration activity will be performed for:



Emission Unit: U-00004

Emission Point: 00004

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The project emission potentials calculated utilizing projected actual emissions for the conversion of boiler 10 from coal to gas and based on the associated heat input limit, are less than 50 percent of the significant project thresholds in table 6 of Subpart 231-13, therefore the facility owner or operator, in addition to complying with any requirements under Part 201 of this Title, must maintain the following information for a minimum of five years:

- (1) A description of the modification.
- (2) An identification of each new or modified emission source(s) including the associated processes and emission unit.
- (3) The calculation of the project emission potential for each modified emission source(s) including supporting documentation.
- (4) The date the modification commenced operation.

These recordkeeping requirements apply to exempt and trivial activities but do not affect their exempt or trivial permitting status under Subpart 201-3 of this Title. The facility must make these records available upon request and submit these records to the Department when requested.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 8: Compliance Demonstration
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.7510(e), Subpart DDDDD

Item 8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00004

Emission Point: 00004

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



Energy Assessment Requirement

- 1) You must complete the one-time energy assessment specified in Table 3 to § Subpart 63 DDDDD no later than January 31, 2016. [§63.7510(e)]
- 2) The following records must be kept for the energy assessment:
A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments. [§ Subpart 63 DDDDD, Table 3, item 4, h]
- 3) You must include with the Notification of Compliance Status, § 63.7545(e), a signed certification that the energy assessment was completed according to Table 3 to § Subpart 63 DDDDD and is an accurate depiction of your facility at the time of the assessment. [§63.7530(e)]

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 9: Compliance Demonstration
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 63.7540(a), Subpart DDDDD

Item 9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00004

Emission Point: 00004

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Boiler Tune-up Requirement

- 1) You must complete an initial tune-up by following the procedures described in § 63.7540(a)(10)(i) through (vi) no later than January 31, 2016, except as specified in paragraph (j) of § 63.7510 [§ 63.7510(e)]. Where § 63.7510(j) says that existing affected sources (as defined in § 63.7490) that have not operated between the effective date of the rule and January 31, 2016, you must complete an initial tune-up by following the procedures described in §63.7540(a)(10)(i) through (vi) no later than 30 days after the re-start of the affected source. [§ 63.7540]



2.) If your boiler or process heater has a continuous oxygen trim system that maintains an optimum air to fuel ratio you must conduct a tune-up of the boiler or process heater every 5 years as specified in paragraphs (a)(10)(i) through (vi) of § 63.7540 to demonstrate continuous compliance. You may delay the burner inspection specified in paragraph (a)(10)(i) of § 63.7540 until the next scheduled or unscheduled unit shutdown, but you must inspect each burner at least once every 72 months. [§ 63.7540(a)(12)]

3.) Record the date of the most recent tune-up, the date of the burner inspection, who performed the tune-up, and what changes were made.

4.) Reporting

a) Unless the EPA Administrator has approved a different schedule for submission of reports under § 63.10(a), you must submit each report, according to paragraph (h) of this section, by the date in Table 9 to this subpart and according to the requirements in paragraphs (b)(1) through (4) of this section. For units that are subject only to a requirement to conduct an annual, biennial, or 5-year tune-up according to § 63.7540(a)(10), (11), or (12), respectively, and not subject to emission limits or operating limits, you may submit only an annual, biennial, or 5-year compliance report, as applicable, as specified in paragraphs (b)(1) through (4) of this section, instead of a semi-annual compliance report.

(i) The first compliance report must cover the period beginning on the compliance date that is specified for each boiler or process heater in § 63.7495 and ending on July 31 or January 31, whichever date is the first date that occurs at least 180 days (or 1, 2, or 5 years, as applicable, if submitting an annual, biennial, or 5-year compliance report) after the compliance date that is specified for your source in § 63.7495.

(ii) The first compliance report must be postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for each boiler or process heater in § 63.7495. The first annual, biennial, or 5-year compliance report must be postmarked or submitted no later than January 31.

(iii) Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Annual, biennial, and 5-year compliance reports must cover the applicable 1-, 2-, or 5-year periods from January 1 to December 31.

(iv) Each subsequent compliance report must be



postmarked or submitted no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. Annual, biennial, and 5-year compliance reports must be postmarked or submitted no later than January 31. [§ 63.7550(b)]

b.) A compliance report must contain the following information:

- (i) Company and Facility name and address.
- (ii) Process unit information, emissions limitations, and operating parameter limitations.
- (iii) Date of report and beginning and ending dates of the reporting period.
- (iv) The total operating time during the reporting period.
- (v) The date of the most recent tune-up for each unit. Include the date of the most recent burner inspection if it was not done on a 5-year period and was delayed until the next scheduled or unscheduled unit shutdown. [§ 63.7550(c)]

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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

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

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

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state only enforceable.

Condition 10: Contaminant List
Effective for entire length of Permit



Applicable State Requirement:ECL 19-0301

Item 10.1:

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 11: Malfunctions and start-up/shutdown activities
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 201-1.4

Item 11.1:

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

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

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

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

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



Condition 12: Emission Unit Definition
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 12.1:

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

Emission Unit: U-00004

Emission Unit Description:

Emission unit U 00004 contains natural gas boiler #10 (rated at 198 MMBtu/hr), which emits to emission point 00004 (South Stack). With this permit, boiler #10 will be converted from a coal fired boiler to one that exclusively fires natural gas, as described in process 10G. Low NOx burners and flue gas recirculation are used to comply with the emission requirements of NOx RACT. Boiler #11 was part of emission unit U-00004 but has been retired, and is no longer operated or permitted.

Emission unit 4 consists of emission point 00004 (the south stack), emission source 00007 (boiler #10), emission source/control LNB10 (low NOx burners), and emission source/control FGR10 (flue gas recirculation). Emission source/control 00009 (the electrostatic precipitator for boiler #10) is no longer used because boiler was converted to natural gas. The ESP was abandoned in place.

Building(s): SA CARLSON

Condition 13: Renewal deadlines for state facility permits
Effective for entire length of Permit

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

Item 13.1:

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

Condition 14: Compliance Demonstration
Effective for entire length of Permit

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

Item 14.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

New York State Department of Environmental Conservation

Permit ID: 9-0608-00053/00034

Facility DEC ID: 9060800053



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

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 9
270 Michigan Ave.
Buffalo, NY 14203

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 15: Visible Emissions Limited
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 211.2

Item 15.1:

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

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

Condition 16: Emission Point Definition By Emission Unit
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 16.1:

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

Emission Unit: U-00004

Emission Point: 00004

Height (ft.): 195

Diameter (in.): 84

NYTMN (km.): 4668.91

NYTME (km.): 148.715

Building: SA CARLSON

Condition 17: Process Definition By Emission Unit
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 17.1:

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

Emission Unit: U-00004



Process: 10G

Source Classification Code: 1-01-006-01

Process Description:

Firing natural gas in one wall fired boiler (#10) that exhausts through stack (emission point) 00004. Low NOx burners and flue gas recirculation control NOx emissions from the boiler. Boiler #10 is classified as a large boiler and used a continuous oxygen trim system to maintain an optimum air to fuel ratio. This boiler will use Part 75 Low Mass Emission (LME) methodology to estimate SO₂, NO_x and CO₂ mass emissions, NO_x emission rate (lb/MMBtu), and unit heat input instead of a Part 75 continuous emissions monitoring system (CEMS) as allowed by 40 CFR 75.19.

Emission Source/Control: 00007 - Combustion
Design Capacity: 198 million BTUs per hour

Emission Source/Control: FGR10 - Control
Control Type: FLUE GAS RECIRCULATION

Emission Source/Control: LNB10 - Control
Control Type: LOW NO_x BURNER

