



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-1402-00573/00007
Mod 0 Effective Date: 04/10/2001 Expiration Date: 04/10/2006
Mod 1 Effective Date: 01/29/2002 Expiration Date: 04/10/2006

Permit Issued To: STATE UNIVERSITY OF NEW YORK
STATE UNIVERSITY PLAZA
ALBANY, NY 12246

Contact: STATE UNIVERSITY OF NEW YORK
STATE UNIVERSITY PLAZA
ALBANY, NY 12246
(518) 443-5355

Facility: BUFFALO STATE COLLEGE
1300 ELMWOOD AVE
BUFFALO, NY 14222

Contact: DAVID N. MILLER
BUFFALO STATE COLLEGE
1300 ELMWOOD AVENUE
BUFFALO, NY 14222-1095
(716) 878-6113

Description:

BUFFALO STATE COLLEGE
TITLE V PERMIT MODIFICATION 1
MODIFICATION DESCRIPTION

Buffalo State College (BSC) has requested this minor permit modification for the addition of one small, natural gas fired boiler to the powerhouse, to be used predominantly during the summer months. This modification will increase the total number of boilers at the power house to five, supplying steam for the space heating of the buildings and dormitories on campus. The new boiler has a maximum design heat input capacity of 33.5 MMBTU/hr and is equipped with a low-NOx burner. The monitoring condition for 6NYCRR227-2 was modified to include emissions from the new boiler when determining compliance with the NOx CAP. Additional applicable requirements include 40CFR60, Standards of Performance for new stationary sources, Subpart A, General Provisions and Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. In accordance with 40CFR60, Subpart Dc, a natural gas fired boiler is only subject to recordkeeping and reporting requirements which



New York State Department of Environmental Conservation
Facility DEC ID: 9140200573

include initial notification and daily recording of natural gas usage, already required to avoid 6NYCRR227-2 applicability. Therefore, even though Subparts A and Dc are new requirements for the facility, this modification was considered minor. Several conditions in the original title V permit were expired and replaced with updated conditions with no significant difference in compliance requirements.

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
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ____ / ____ / ____



Notification of Other 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, agents, and assigns for all claims, suits, actions, damages, and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.

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 and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

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



DEC GENERAL CONDITIONS

****** General Provisions ******

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 and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Item 3.1:

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

Item 3.2:

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

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

Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for

New York State Department of Environmental Conservation
Facility DEC ID: 9140200573



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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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Authorized Activity By Standard Industrial Classification Code:
8220 - COLLEGES, UNIVERSITIES,



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 Definitions Applicable To This Permit
- 2 False statement
- 3 Sealing
- 4 Acceptable ambient air quality
- 5 Maintenance of equipment
- 6 Unpermitted Emission Sources
- 8 Emergency Defense
- 9 Recycling and Salvage
- 10 Prohibition of Reintroduction of Collected Contaminants to the Air
- 11 Public Access to Recordkeeping for Title V facilities
- 12 Proof of Eligibility
- 13 Compliance Certification
- 14 Proof of Eligibility
- 15 Applicable Criteria, Limits, Terms, Conditions and Standards
- 16 Cessation or Reduction of Permitted Activity Not a Defense
- 17 Compliance Requirements
- 18 Federally-Enforceable Requirements
- 19 Fees
- 20 Monitoring, Related Recordkeeping and Reporting Requirements
- 21 Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
- 22 Permit Shield
- 23 Property Rights
- 24 Reopening for Cause
- 25 Right to Inspect
- 26 Severability
- 27 Emission Unit Definition
- 1-1 Compliance Certification
- 1-2 Compliance Certification
- 30 Permit Exclusion Provisions
- 31 Non Applicable requirements
- 32 Required emissions tests
- 33 Compliance Certification
- 34 Recordkeeping requirements
- 35 Visible emissions limited.
- 36 Open Fires Prohibited at Industrial and Commercial Sites
- 37 Compliance Certification
- 38 Compliance Certification
- 39 Sampling, compositing, and analysis of fuel samples
- 1-3 Compliance Certification
- 1-4 Compliance Certification



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

- 40 Corrective action.
- 41 Corrective action.
- 42 Corrective action.
- 43 Corrective action.
- 44 Facility Permissible Emissions
- 1-5 Compliance Certification
- 46 Recycling and Emissions Reduction
- Emission Unit Level**
- 47 Emission Point Definition By Emission Unit
- 48 Process Definition By Emission Unit
- 1-6 Compliance Certification (EU=U-00001,Proc=100)
- 1-7 Applicability of General Provisions of 40 CFR 60 Subpart A
- 1-8 EPA Region 2 address.
- 1-9 Compliance Certification (EU=U-00001,Proc=200,ES=0001E)
- 1-10 Recordkeeping requirements.
- 1-11 Applicability of this Subpart to this emission source
- 1-12 Compliance Certification (EU=U-00001,Proc=200,ES=0001E)
- 1-13 Compliance Certification (EU=U-00001,Proc=200,ES=0001E)
- 1-14 Compliance Certification (EU=U-00001,Proc=200,ES=0001E)
- 1-15 Duration of records maintained.
- 49 Multiple combustion sources.
- 1-16 Compliance Certification (EU=U-00001,EP=BSC01,Proc=100)
- 52 Compliance Certification (EU=U-00001,EP=BSC01,Proc=100)
- 53 Compliance Certification (EU=U-00002)

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 1-17 Unavoidable noncompliance and violations
- 54 General Provisions
- 55 Contaminant List
- 56 Air pollution prohibited

PROFESSIONAL SCHOOLS, & JUNIOR COLLEGES

Mod 0 Permit Effective Date: 04/10/2001

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New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 1: Definitions Applicable To This Permit
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 200.1

Item 1.1:

The definitions found in Parts 200 and 201 apply throughout this permit. Specific definitions used in this permit and their meanings include:

1. "Act" refers to the Federal Clean Air Act, 42 U.S.C. Section 7401, et seq., as amended by Public Law 101-549, November 15, 1990.
2. "Administrator" refers to the Administrator of the United States Environmental Protection Agency or designee.
3. "Department" refers to the New York State Department of Environmental Conservation.

Condition 2: False statement
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 200.3

Item 2.1:

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

Condition 3: Sealing
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 200.5

Item 3.1:

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

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

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

Condition 4: Acceptable ambient air quality
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 200.6

Item 4.1:

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 5: Maintenance of equipment
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 200.7

Item 5.1:

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

Condition 6: Unpermitted Emission Sources
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 6.1:

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

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

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

Condition 8: Emergency Defense
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.5



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

Item 8.1:

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

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

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

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

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

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

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

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

Condition 9: Recycling and Salvage

ard

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 9.1:

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

Condition 10: Prohibition of Reintroduction of Collected Contaminants to the Air

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 10.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

**Condition 11: Public Access to Recordkeeping for Title V facilities
Effective between the dates of 04/10/2001 and 04/10/2006**

Applicable Federal Requirement: 6NYCRR 201-1.10(b)

Item 11.1:

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

**Condition 12: Proof of Eligibility
Effective between the dates of 04/10/2001 and 04/10/2006**

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

Item 12.1:

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

**Condition 13: Compliance Certification
Effective between the dates of 04/10/2001 and 04/10/2006**

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

Item 13.1:

The Compliance Certification activity will be performed for the Facility.

Item 13.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Buffalo State College operates twenty (20) (5 diesel-fired and 15 natural gas fired) internal combustion engines with power output at <400 brake horsepower (Bhp) each, used to generate electricity in emergency situations. These generators are considered exempt sources if utilized for emergencies only, including times when the usual sources of heat, power, water and lighting are temporarily unobtainable, or to provide power to fire-fighting equipment. As proof of exempt eligibility



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

for the emergency generators, the facility shall maintain monthly records which demonstrate that each engine is operated less than 500 hours per year, on a 12-month rolling total basis. An hour counter or similar device shall be utilized to monitor hours of operation, which shall be recorded in a bound log book each month. The emergency generators shall be operated and maintained according to manufacturer's specifications to insure proper performance. Records demonstrating hours of operation, the manufacturer's maintenance requirements and the maintenance performed on these sources shall be kept on-site for five years and be readily available to NYSDEC representatives upon request.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 499 hours

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/01.

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

Condition 14: Proof of Eligibility

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-3.3(a)

Item 14.1:

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

Condition 15: Applicable Criteria, Limits, Terms, Conditions and Standards

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 15.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

i. Any reporting requirements and operations under an accidental release plan, response plan, and compliance plan as approved as of the date of the permit issuance, or

ii. Any support documents submitted as a part of the permit application for this facility as accepted and approved as of the date of permit issuance.

Any noncompliance with the federally-enforceable portions of this permit constitutes a violation of the federal Clean Air Act and will be grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

Item 15.2:

Any document, including reports, required by the federally-enforceable portions of this permit shall contain a certification by the responsible official for this facility as set forth in Section 201-6.3 that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

**Condition 16: Cessation or Reduction of Permitted Activity Not a Defense
Effective between the dates of 04/10/2001 and 04/10/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 16.1:

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

**Condition 17: Compliance Requirements
Effective between the dates of 04/10/2001 and 04/10/2006**

Applicable Federal Requirement: 6NYCRR 201-6.

Item 17.1:

The following information must be included in any required compliance monitoring records and reports:

- i. The date, place and time of sampling or measurements;
- ii. The date(s) analyses were performed;
- iii. The company or entity that performed the analyses;
- iv. The analytical techniques or methods used including quality assurance and quality control procedures if required;
- v. The results of such analyses including quality assurance data where required; and
- vi. The operating conditions as existing at the time of sampling or measurement;

Any deviation from permit requirements must be clearly identified in all records and reports. Reports



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

must be certified by the responsible official, consistent with Section 201-6.3 of Part 201.

Item 17.2:

The permittee shall comply with the approved compliance schedule for this permit if such a schedule is a part of this permit. Risk management plans must be submitted to the Administrator if required by Section 112(r) of the Clean Air Act for this facility.

Item 17.3:

Progress reports consistent with an applicable schedule of compliance must be submitted at least semiannually on a calendar year basis, or at a more frequent period if specified in the applicable requirement or by the Department elsewhere in this permit. These reports shall be submitted to the Department within 30 days after the end of a reporting period. Such progress reports shall contain the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 18: Federally-Enforceable Requirements
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 18.1:

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.

Condition 19: Fees
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 19.1:

The permittee shall pay the required fees associated with this permit.

Condition 20: Monitoring, Related Recordkeeping and Reporting Requirements
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 20.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

contained in this permit and shall follow all quality assurance requirements. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 21: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 21.1:

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not relieve the permittee from the requirement to comply with any condition contained in this permit.

The permittee shall furnish to the Department, within a reasonable time, any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The permittee shall also, on request, furnish the Department with copies of records required to be kept by the permit. Where information is claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

Condition 22: Permit Shield
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 22.1:

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

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

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

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

Condition 23: Property Rights

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 23.1:

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

Condition 24: Reopening for Cause

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 24.1:

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

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

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

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

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

Item 24.2:

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

Item 24.3:

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Condition 25: Right to Inspect

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 25.1:

Upon presentation of credentials and other documents, as may be required by law, the permittee shall allow the Department or an authorized representative to perform the following:

- i. Enter upon the permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- iii. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- iv. As authorized by the Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 26: Severability

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 26.1:

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

Condition 27: Emission Unit Definition

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 27.1(From Mod 1):

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

Emission Unit: U-00001

Emission Unit Description:

This emission unit consists of the campus power plant located in Building 45 containing five boilers, which produce steam for space heating throughout the college campus. Boilers 1-4 fire residual oil or natural gas and have a maximum design heat input capacity of at least 53 MMBTU/hr, each. Boiler 5 is equipped with a low-NOx



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

burner, fires only natural gas and has a maximum design heat input capacity of 33.5 MMBTU/hr. All five boilers exhaust through a common stack, with a current potential stack heat input of 245.5 MMBTU/hr.

Building(s): 45

Item 27.2(From Mod 0):

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

Emission Unit: U-00002

Emission Unit Description:

This emission unit consists of a fuel dispensing site containing two fiberglass underground storage tanks installed in 1979 with capacities of 8,000 gallons each. One tank is used for gasoline storage and the other holds diesel fuel. The annual throughput of gasoline is 30,000 gallons, with an average monthly thruput of approximately 2,500 gallons. The average annual throughput of diesel is 12,000 gallons.

Condition 1-1: Compliance Certification

Effective between the dates of 01/29/2002 and 04/10/2006

f0Applicable Federal Requirement: 6NYCRR 201-6.5(c)(3)(ii)

Item 1-1.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-1.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

(1) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

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

If any of the above conditions are met, the source must notify the permitting authority by telephone or facsimile based on the timetable listed in paragraphs (1) through (4) of this section. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of the occurrence. All deviations reported under paragraph (1) through (4) of this section must also be identified in the 6 month monitoring report required above.

If the permittee seeks to have a violation excused as provided in 201-1.4, the permittee shall report such violations as required under 201-1.4(b). However, in no case may reports of any deviation be on a less frequent basis than those described in paragraphs (1) through (4)

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



above. 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.

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

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/02.

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

Condition 1-2: Compliance Certification
Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.5(e)

Item 1-2.1:

The Compliance Certification activity will be performed for the Facility.

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



Item 1-2.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.
- iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office). Please



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2999

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring
and Enforcement
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/02.
Subsequent reports are due on the same day each year

Condition 30: Permit Exclusion Provisions
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.5(g)

Item 30.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant 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), and particularly any such enforcement action as may be authorized pursuant to 6 NYCRR 201-1.2 and 6 NYCRR 201-6.5(g).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supersede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements contained in such order or modification thereof unless specifically intended by this permit.



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 31: Non Applicable requirements
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.5(g)

Item 31.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

Condition 32: Required emissions tests
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 32.1:

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

Condition 33: Compliance Certification
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

Condition 34: Recordkeeping requirements
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 202-2.5

Item 34.1:

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

- (1) a copy of each emission statement submitted to the department; and
- (2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

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

Condition 35: Visible emissions limited.
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 211.3

Item 35.1:

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

Condition 36: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 215.

Item 36.1:

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

Condition 37: Compliance Certification
Effective between the dates of 04/10/2001 and 04/10/2006



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

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

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any residual oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

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

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/01.

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

Condition 38: Compliance Certification

Effective between the dates of 04/10/2001 and 04/10/2006

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

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



Monitoring Frequency: PER DELIVERY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/01.
Subsequent reports are due every 6 calendar month(s).

**Condition 39: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 04/10/2001 and 04/10/2006**

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

Item 39.1:

All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

**Condition 1-3: Compliance Certification
Effective between the dates of 01/29/2002 and 04/10/2006**

Applicable Federal Requirement: 6NYCRR 227-1.3

Replaces Condition(s) 50

Item 1-3.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 1-3.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

- (a) No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity.

- (b) Compliance with the opacity standard may be determined by:
 - (1) conducting observations in accordance with Reference Method 9 in Appendix A of 40CFR60;

 - (2) evaluating Continuous Opacity Monitoring System (COMS) records and reports; and/or



(3) considering any other credible evidence.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: METHOD 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/02.
Subsequent reports are due every 6 calendar month(s).

Condition 1-4: Compliance Certification
Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-1.3

Replaces Condition(s) 50

Item 1-4.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 1-4.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

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

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

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

- date and time of day
- observer's name

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



- identity of emission point
- weather condition
- was a plume observed?
- cause/corrective action taken

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

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3) If the operator observes any visible emissions (other than steam**) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance. However, any time that the opacity observed seems excessive and/or unusual, immediate attention is required to correct the problem causing the opacity. The cause and corrective action taken shall be documented in the daily logbook.

At all times stationary combustion installations shall be operated and maintained according to manufacturer's specifications to ensure proper performance and compliance with the regulatory limit for opacity. Records demonstrating hours of operation, fuel usage, the manufacturer's maintenance requirements and procedures and maintenance performed for these sources shall be maintained on-site for five years and be readily available to NYSDEC representatives upon request.

Compliance with these monitoring, recordkeeping and reporting requirements may be used to verify compliance with 6NYCRR211.3.

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/02.

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

Condition 40: Corrective action.

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-1.6(a)

Item 40.1:

Any facility found in violation of the provisions of this Part shall not cause, permit, or allow the operation of the affected stationary combustion installation unless:

- (1) it is equipped with approved emission control equipment;
- (2) it is rehabilitated or upgraded in an approved manner; or
- (3) the fuel is changed to an acceptable type.

Condition 41: Corrective action.

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-1.6(b)

Item 41.1:

The commissioner may seal the affected stationary combustion installation that does not comply with the provisions in subdivision 6 NYCRR 227-1.6(a) within the time provided.

Condition 42: Corrective action.

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-1.6(c)

Item 42.1:

No person shall cause, permit, or allow the operation of any affected stationary combustion installation



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

sealed by the commissioner in accordance with this section.

Condition 43: Corrective action.

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-1.6(d)

Item 43.1:

No person except the commissioner or his representative shall remove, tamper with, or destroy any seal affixed to any affected stationary combustion installation.

Condition 44: Facility Permissible Emissions

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-2.

Item 44.1:

The sum of emissions from the emission units specified in this permit shall not exceed the following Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0 (From Mod 1) PTE: 198,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 1-5: Compliance Certification

Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-2.

Replaces Condition(s) 45

Item 1-5.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 1-5.2:

Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Buffalo State College has a facility-wide annual potential to emit more than 100 tons of oxides of nitrogen (NOx) which exceeds the applicability threshold specified in Title 6 of the Official Compilation of the Codes, Rules and Regulations of the State of New York, Subpart 227-2



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

(6NYCRR227-2), "Reasonably Available Control Technology (RACT) For Oxides of Nitrogen (NOx)". Buffalo State College has chosen to limit facility-wide emissions of oxides of nitrogen to 99 tons per year or less based on a 12-month rolling total to avoid the requirements of 6NYCRR227-2.

The permitted emission sources contributing to the facility NOx emissions include four dual fueled (natural gas/ No. 6 fuel oil) boilers, with a maximum design heat input capacity of approximately 53 MMBTU/hr each (Emission Sources 0001A, 0001B, 0001C, and 0001D) and a 33.5 MMBTU/hr natural gas fired boiler, equipped with a low-NOx burner (Emission Source 0001E). These boilers are contained in Emission Unit U-00001, and operate via Process 100 (boilers firing residual oil, excludes ES 0001E) and/or Process 200 (boilers firing natural gas).

NOx emissions from the following combustion sources, exempt from permitting in accordance with 6NYCRR Subpart 201-3.2 (c), shall also be included in the determination of facility-wide NOx emissions: twelve (12) small natural gas fired boilers (less than 10 MMBTU/hr maximum design heat input capacity) and twenty (20) (5 diesel fired and 15 natural gas fired) internal combustion engines with power output at <400 brake horsepower (Bhp) each, used to generate electricity in emergency situations.

The Facility must prepare monthly NOx emission records. Monthly mass emission rates of NOx shall be determined utilizing monthly fuel usage quantities and the following or similar formulas. The current monthly NOx emissions shall be added to the NOx emissions for the previous 11 months to determine the 12-month rolling total.

$NOx \text{ (tons/mo)} = A + B + C + D + E < \text{or} = 99 \text{ tons/yr}$ based on a 12-month rolling total

where,

A = Actual monthly NOx emissions in tons for Process 100.

$A = (0.075 \text{ lbs NOx/gallon}^*) \times (\text{gallons No. 6 oil burned/mo}) \times (\text{ton/2000 lb})$

B = Actual monthly NOx emissions in tons for Process 200 (excluding emission source 0001E) and small natural gas fired boilers (less than 10 MMBTU/hr maximum design heat input capacity).

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



$B = (100 \text{ lbs NOx} / 10E+06 \text{ cf natural gas burned}^{**}) \times (\text{cf natural gas burned} / \text{mo}) \times (\text{ton} / 2000 \text{ lb})$

C = Actual monthly NOx emissions in tons for Process 200, Emission Source 0001E.

$C = (75 \text{ lbs NOx} / 10E+06 \text{ cf natural gas burned}^{***}) \times (\text{cf natural gas burned} / \text{mo}) \times (\text{ton} / 2000 \text{ lb})$

D = Actual monthly NOx emission rate in tons based on No. 2 oil usage for small emergency generators (internal combustion engine rated at 447 kW (600 hp) and below).

$D = (0.64 \text{ lb NOx}^{****} / \text{gal diesel burned}) \times (\text{gal diesel burned} / \text{mo}) \times (\text{ton} / 2000 \text{ lb})$.

E = Actual monthly NOx emission rate in tons based on natural gas usage for small emergency generators (internal combustion engine rated at 447 kW (600 hp) and below).

$E = (0.00284 \text{ lb NOx} / \text{cf natural gas burned}^{****}) \times (\text{cf natural gas burned} / \text{mo}) \times (\text{ton} / 2000 \text{ lb})$.

*NYSDEC Air Guide 32: Nitrogen in Fuel, Page 4

**Table 1.4-1 Emission factors for NOx, and CO from natural gas combustion, USEPA Compilation of Air Pollutant Emission Factors, AP42, Volume 1, Supplement F, July 1998.

***Clever Brooks Boiler Estimated Exhaust/Emission Performance Data for Boiler Model CB700-800-200#

****Compilation of Air Pollutant Emission Factors (AP42), USEPA, 1995 for SCC 2-03-001-01 "Internal Combustion Engines /Commercial /Institutional /Diesel /Reciprocating.

On a monthly basis, the Facility shall maintain records of the quantity of fuel burned for all sources and compute annual facility-wide NOx emissions using a rolling 12-month period. Records shall be based on verifiable data such as fuel metering data and/or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts. All records and reports necessary to fulfill capping requirements under this Subpart shall be maintained on-site for five years in a form suitable and readily available for expeditious inspection and review

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New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

and shall be submitted to the Department upon request.
Representatives of the Department shall be permitted
entrance to the Facility, during reasonable business
hours, to perform inspections, review emission records and
obtain samples for the purpose of determining compliance.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 99 tons per year

Monitoring Frequency: AS REQUIRED - SEE MONITORING

DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/02.

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

Condition 46: Recycling and Emissions Reduction
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 46.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



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

Condition 47: Emission Point Definition By Emission Unit
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 47.1(From Mod 1):

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

Emission Unit: U-00001

Emission Point: BSC01

Height (ft.): 154

Diameter (in.): 120

NYTMN (km.): 4760.72 NYTME (km.): 183.029 Building: 45

Condition 48: Process Definition By Emission Unit
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 201-6.

Item 48.1(From Mod 1):

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

Emission Unit: U-00001

Process: 100

Source Classification Code: 1-03-004-02

Process Description:

Process 100 is the combustion of residual oil in the power plant boilers to produce steam for space heating.

Emission Source/Control: 0001A - Combustion

Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001B - Combustion

Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001C - Combustion

Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001D - Combustion

Design Capacity: 53 million Btu per hour

Item 48.2(From Mod 1):

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

Emission Unit: U-00001

Process: 200

Source Classification Code: 1-03-006-02

Process Description:



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

Process 200 is the combustion of natural gas in the power plant boilers to produce steam for space heating.

Emission Source/Control: 0001A - Combustion
Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001B - Combustion
Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001C - Combustion
Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001D - Combustion
Design Capacity: 53 million Btu per hour

Emission Source/Control: 0001E - Combustion
Design Capacity: 33.5 million Btu per hour

Emission Source/Control: CTL1E - Control
Control Type: LOW NO_x BURNER

Condition 1-6: 0Compliance Certification
Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227.2(b)(1)

Item 1-6.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: 100

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

Item 1-6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for a stationary combustion installation firing oil. The owner or operator shall complete the following once per term of this permit:

1) submit, to the Department, an acceptable protocol for the testing of particulate emission limit cited in this condition,



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

2) perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition, and

3) all records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: BABCOCK & WILCOX STIRLING (Derated from 65 MMBTU/hr in 1999)

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/02.

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

Condition 1-7: Applicability of General Provisions of 40 CFR 60 Subpart A Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 1-7.1:

This Condition applies to Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Item 1-7.2:

This emission source is subject to the applicable General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

Condition 1-8: EPA Region 2 address.

Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 1-8.1:

This Condition applies to Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Item 1-8.2:

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

Director, Division of Enforcement and Compliance Assistance



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

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

NYSDEC
Bureau of Enforcement and Compliance Assurance
625 Broadway
Albany, NY 12233-3258

Condition 1-9: Compliance Certification
Effective between the dates of 01/29/2002 and 04/10/2006

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

Item 1-9.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: 200 Emission Source: 0001E

Item 1-9.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 2) a notification of the anticipated date of initial start up, post marked not more than 60 days not less than 30 days prior to such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

p0 the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-10: Recordkeeping requirements.

Effective between the dates of 01/29/2002 and 04/10/2006

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

Item 1-10.1:

This Condition applies to Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Item 1-10.2:

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

Condition 1-11: Applicability of this Subpart to this emission source

Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 40CFR 60.40c, NSPS Subpart Dc

Item 1-11.1:

This Condition applies to Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Item 1-11.2:

This emission source is subject to the applicable General Provisions of 40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

Condition 1-12: Compliance Certification

Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 40CFR 60.40c, NSPS Subpart Dc



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

Item 1-12.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Item 1-12.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§ 60.40c Applicability and delegation of authority.

(a) Except as provided in paragraph (d) of this section, the affected facility to which this subpart applies is each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (MW) (100 million Btu per hour (Btu/hr)) or less, but greater than or equal to 2.9 MW (10 million Btu/hr).

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-13: Compliance Certification

Effective between the dates of 01/29/2002 and 04/10/2006

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

Item 1-13.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Item 1-13.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7 of this part. This notification shall include:

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



(1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.

(2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.

(3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-14: Compliance Certification

Effective between the dates of 01/29/2002 and 04/10/2006

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

Item 1-14.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: 200

Emission Source: 0001E

Item 1-14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/02.

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

Condition 1-15: Duration of records maintained.

Effective between the dates of 01/29/2002 and 04/10/2006

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

Item 1-15.1:

This Condition applies to Emission Unit: U-00001
Process: 200 Emission Source: 0001E

Item 1-15.2:

All records required under this section shall be maintained by the owner or operator of the affected facility for a period of two years following the date of such record.

Condition 49: Multiple combustion sources.
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227-1.2(b)

Item 49.1:

This Condition applies to Emission Unit: U-00001 Emission Point: BSC01

Item 49.2:

The total heat input of all furnaces connected to the same stack or pollution control device shall be used to calculate the permissible particulate emission rate.

Condition 1-16: Compliance Certification
Effective between the dates of 01/29/2002 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227.2(b)(1)

Item 1-16.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: BSC01
Process: 100

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

Item 1-16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To ensure that particulate emissions are in compliance with the specified limit, the operation and maintenance of all combustion sources at the facility shall be conducted in accordance with the manufacturer's specifications. The continuous oxygen sensors on the power plant boilers shall be operational and shall be calibrated quarterly, at a minimum, based on a calendar year using the appropriate oxygen calibration gas. The



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

boilers shall be operated with excess oxygen between 5% and 15% to guarantee complete combustion and minimize particulate emissions. Tune-ups shall be performed annually to ensure the proper performance of the boilers. Records of calibration, maintenance, tune-ups and repair for each source shall be kept for the most recent five years and shall be made available for review by NYSDEC representatives upon request.

Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/02.

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

Condition 52: Compliance Certification
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 227.2(b)(1)

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001 Emission Point: BSC01
Process: 100

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

Item 52.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

To ensure that particulate emissions are in compliance with the specified limit, the operation and maintenance of all combustion sources at the facility shall be conducted in accordance with the manufacturer's specifications. The continuous oxygen sensors on the power plant boilers shall be calibrated quarterly, at a minimum, based on a calendar year using the appropriate oxygen calibration gas. The boilers shall be operated at the specified oxygen content limit or above to guarantee complete combustion. Tune-ups shall be performed annually to ensure the proper performance of the boilers. Records



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

of calibration and maintenance for each source shall be kept for the most recent five years and shall be made available for review by NYSDEC representatives upon request.

Parameter Monitored: OXYGEN CONTENT
Lower Permit Limit: 15 percent
Monitoring Frequency: AS REQUIRED - SEE MONITORING DESCRIPTION
Averaging Method: MINIMUM - NOT TO FALL BELOW STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY n0 (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/01.
Subsequent reports are due every 6 calendar month(s).

Condition 53: Compliance Certification
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable Federal Requirement: 6NYCRR 230.5

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 008006-61-9 GASOLINE

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The owner and/or operator of any gasoline dispensing site must maintain records showing the quantity of all gasoline delivered to the site each month. Rolling 12-month totals shall be determined by summing the individual monthly quantities of gasoline delivered to the site during any consecutive 12-month period. The rolling 12-month totals shall be calculated each month and shall be used to determine if the annual throughput exceeds 120,000 gallons, thereby making the site subject to the requirements of 230.2. The appropriate Stage I and Stage II vapor collection systems must be in place prior to any site exceeding the 120,000 gallons in annual throughput.



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

These records must be maintained at the gasoline site in a manner that allows expeditious review for a period of five years and be made available to Department representatives on request during normal business hours.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: GASOLINE

Upper Permit Limit: 120000 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/01.

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



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

Condition 1-17: Unavoidable noncompliance and violations
Effective between the dates of 01/29/2002 and 04/10/2006

Applicable State Requirement: 6NYCRR 201-1.4

Item 1-17.1:

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573

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 54: General Provisions

Effective between the dates of 04/10/2001 and 04/10/2006

Applicable State Requirement: 6NYCRR 201-5.

Item 54.1:

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

Item 54.2:

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

Item 54.3:

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

Condition 55: Contaminant List

Effective between the dates of 04/10/2001 and 04/10/2006

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

Item 55.1:

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

CAS No: 008006-61-9

Name: GASOLINE

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

New York State Department of Environmental Conservation

Permit ID: 9-1402-00573/00007

Facility DEC ID: 9140200573



Condition 56: Air pollution prohibited
Effective between the dates of 04/10/2001 and 04/10/2006

Applicable State Requirement: 6NYCRR 211.2

Item 56.1:

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.