

New York State Department of Environmental Conservation
Facility DEC ID: 9140200680



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-1402-00680/00030
Effective Date: 10/22/2001 Expiration Date: No expiration date

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

Facility: SUNY AT BUFFALO - SOUTH CAMPUS
3435 MAIN ST
BUFFALO, NY 14214

Contact: KEITH A TRAMP
SUNY AT BUFFALO AMHERST
BAKER CHILLED WATER PLANT
BUFFALO, NY 14260
(716) 645-2205

Description:

The University at Buffalo, State University of New York South Campus (hereinafter Permittee) located at 220 Winspear Avenue, Buffalo, New York presently has four (4) underfeed stoker coal boilers and one (1) 75 million Btu/hr natural gas boiler located in the MacKay Power Plant. The Permittee is conducting a complete rehabilitation of the MacKay Power Plant including replacement of mechanical systems, electrical systems, architectural restoration, abatement, demolition of the five (5) existing boilers, piping, coal & ash handling equipment. Three (3) new 76 million Btu/hr boilers using natural gas/#2 oil will be installed. Oxides of Nitrogen (NOx) and Sulfur Dioxide (SO2) emissions from the burning of natural gas/#2 oil are subject to the requirements of Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York (6NYCRR) Subpart 201-7.2. The Permittee has a total annual potential to emit more than 100 tons of NOx and SO2 respectively, which exceeds the applicability limits specified in 6NYCRR Subpart 201-7.2. As such, the Permittee must demonstrate compliance by accepting emission limitations to restrict the amount of NOx and SO2 emitted from the facility. This State Facility Permit will limit the emissions of NOx and SO2 below the 100 tpy threshold. The purpose of these conditions and limitations is to provide a federally-enforceable mechanism to certify that the facility is not a major source of the above identified pollutants and does not require a Title V facility permit.

The Permittee will need two temporary boilers to supply steam to the South Campus while the rehabilitation of the MacKay Power Plant is being performed from May, 2002 - May, 2004. There will be one (1) 80 million Btu/hr natural gas boiler and one (1) 55 million Btu/hr natural gas boiler.

This permit also includes one (1) 25 million Btu/hr natural gas boiler that supplies steam to Cary, Farber,



New York State Department of Environmental Conservation

ID: 9140200680

Sherman and the Biomedical Research and Biomedical Education buildings. This boiler was built in 1996 and started operating in 1997. It replaced an older, less efficient boiler.

This permit also contains rules and regulations for two incinerators located in the Biomedical Education Building. There is Consumat C125P Automatic Pneumatic Feed Lab Animal incinerator located on the ground floor and a Kellogg-Mann DR-400 Manual Direct Human Anatomy incinerator located on the third floor.

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: RICHARD P SWEENEY
 DIVISION OF ENVIRONMENTAL PERMITS
 270 MICHIGAN AVE
 BUFFALO, NY 14203-2999

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

on 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 ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

Condition 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

Expired by Mod No: 1

Item 3.1:

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

Item 3.2:

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

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

New York State Department of Environmental Conservation
Facility DEC ID: 9140200680



Item 4.1:

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

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

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
270 Michigan Avenue
Buffalo, NY 14203-2999
(716) 851-7165



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

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

Facility: SUNY AT BUFFALO - SOUTH CAMPUS
3435 MAIN ST
BUFFALO, NY 14214

Authorized Activity By Standard Industrial Classification Code:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 17 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 3 6NYCRR 200.7: Maintenance of equipment
- 7 6NYCRR 201-1.7: Recycling and Salvage
- 8 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
- 10 6NYCRR 201-3.2(a): Proof of Eligibility
- 11 6NYCRR 201-3.3(a): Proof of Eligibility
- 15 6NYCRR 202-1.1: Required emissions tests
- 16 6NYCRR 211.3: Visible emissions limited.
- 1 6NYCRR 200.5: Sealing
- 2 6NYCRR 200.6: Acceptable ambient air quality
- 4 6NYCRR 201-1.2: Unpermitted Emission Sources
- 5 6NYCRR 201-1.4: Unavoidable Noncompliance and Violations
- 6 6NYCRR 201-1.5: Emergency Defense
- 9 6NYCRR 201-1.10(a): Public Access to Recordkeeping
- 12 6NYCRR 201-7.2: Synthetic minor facility capping provisions.
- 13 6NYCRR 201-7.2: Compliance Demonstration
- 14 6NYCRR 201-7.2: Compliance Demonstration

Emission Unit Level

EU=E-00001

- 18 6NYCRR 227-1.3(a): Compliance Demonstration
- 19 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this emission source
- 20 40CFR 60.42c(d), NSPS Subpart Dc: Compliance Demonstration
- 21 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.
- 22 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.
- 23 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration
- 24 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.
- 25 40CFR 60.44c(h), NSPS Subpart Dc: Compliance Demonstration
- 26 40CFR 60.45c(a), NSPS Subpart Dc: Compliance Demonstration
- 27 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.
- 28 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 29 40CFR 60.48c(c), NSPS Subpart Dc: Compliance Demonstration
- 30 40CFR 60.48c(d), NSPS Subpart Dc: Compliance Demonstration
- 31 40CFR 60.48c(e)(1), NSPS Subpart Dc: Compliance Demonstration
- 32 40CFR 60.48c(e)(11), NSPS Subpart Dc: Compliance Demonstration
- 33 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration
- 34 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



35 40CFR 60.48c(i), NSPS Subpart Dc: Duration of records maintained.

EU=E-00008

36 40CFR 60.48c, NSPS Subpart Dc: Recordkeeping and reporting.

EU=I-00002

37 6NYCRR 219-5.2(a): Particulate matter limitation.

38 6NYCRR 219-5.3(a): Compliance Demonstration

39 6NYCRR 219-5.5: Abatement

EU=T-00009

40 6NYCRR 227-1.3(a): Compliance Demonstration

41 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this
emission source

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

42 6NYCRR 201-5: General Provisions

43 6NYCRR 201-5: Permit Exclusion Provisions

44 6NYCRR 201-5: Emission Unit Definition

45 6NYCRR 201-5.3(b): Contaminant List

46 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

47 6NYCRR 201-5: Emission Point Definition By Emission Unit

48 6NYCRR 201-5: Process Definition By Emission Unit

8220 - COLLEGES, UNIVERSITIES, PROFESSIONAL SCHOOLS, & JUNIOR COLLEGES

Permit Effective Date: 10/22/2001

Permit Expiration Date: No expiration date.



FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 17: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Item 17.1:

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 3: Maintenance of equipment
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.7

Item 3.1:

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 7: Recycling and Salvage
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 7.1:

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 8: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 8.1:

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

Condition 10: Proof of Eligibility
Effective between the dates of 10/22/2001 and Permit Expiration Date



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

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

Item 10.1:

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 11: Proof of Eligibility

Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 11.1:

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: Required emissions tests

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 15.1:

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 16: Visible emissions limited.

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 16.1:

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-

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



minute period per hour of not more than 57 percent opacity.

Condition 1: Sealing
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.5

Item 1.1:

(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.

(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 2: Acceptable ambient air quality
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.6

Item 2.1:

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 4: Unpermitted Emission Sources
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 4.1:

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.

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



(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 5: Unavoidable Noncompliance and Violations
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 5.1:

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 or certificate issued for the corresponding air contamination source. 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.

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

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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Condition 6: Emergency Defense
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 6.1:

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: Public Access to Recordkeeping
Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 9.1:

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

Condition 12: Synthetic minor facility capping provisions.



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 12.1:

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

Item 12.2:

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

Item 12.3:

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

Item 12.4:

The emission of pollutants in exceedance of the applicability thresholds for obtaining a Title V facility permit or other applicable requirements constitutes a violation of Part 201 and of the Act.

Condition 13: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Boilers which fire multiple fuels (except in New York City, Nassau, Rockland, Suffolk, and Westchester Counties) shall maintain a record of the quantity of each fuel fired. Also, the owner or operator shall calculate (based on the fuel quantities) using the following formula:

$$R(0.075) + D(0.02) + G(140) + E(0.44) < 200,000 \text{ lbs/yr of}$$

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



Oxides of Nitrogen emissions.

Where: R = 12-month rolling total of residual oil fired (from boilers) in gals/yr

D = 12-month rolling total of distillate oil fired (from boilers) in gals/yr

G = 12-month rolling total of natural gas fired (from boilers) in MMSCF/yr

E = 12-month rolling total of diesel fuel fired (from engines) in gals/yr

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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

Condition 14: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 14.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Boilers which fire multiple fuels (except in New York City, Nassau, Rockland, Suffolk, and Westchester Counties) shall maintain a record of the quantity of each fuel fired. Also, the owner or operator shall calculate (based on the fuel quantities) using the following formula:

$R(0.24) + D(0.21) + G(0.6) + E(0.21) < 200,000$ lbs/yr of Sulfur Dioxide emissions.

Where: R = 12-month rolling total of residual oil fired (from boilers) in gals/yr

D = 12-month rolling total of distillate oil fired (from boilers) in gals/yr

G = 12-month rolling total of natural



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

gas fired (from boilers) in mcf/yr
E = 12-month rolling total of diesel
fuel fired (from engines) in gals/yr

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 18: Compliance Demonstration
Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 18.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Item 18.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 19: Applicability of this Subpart to this emission source
Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 19.1:

This Condition applies to Emission Unit: E-00001

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



Item 19.2:

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 20: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.42c(d), NSPS Subpart Dc

Item 20.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

On or after the date on which the initial performance test is completed or required to be completed under section 60.8 of this part, no owner or operator of an affected facility that combusts oil shall combust oil with a sulfur content in excess of 0.5 percent by weight.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.50 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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

Condition 21: Exemption from the averaging period.

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.42c(h), NSPS Subpart Dc

Item 21.1:

This Condition applies to Emission Unit: E-00001

Item 21.2:



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Compliance with emission limits and/or fuel oil sulfur limitations shall be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

Condition 22: Enforceability.

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.42c(i), NSPS Subpart Dc

Item 22.1:

This Condition applies to Emission Unit: E-00001

Item 22.2:

The sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations shall apply at all times, including periods of startup, shutdown, and malfunction.

Condition 23: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.43c(c), NSPS Subpart Dc

Item 23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 23.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

On and after the date on which the initial performance test is completed or required to be completed under §60.8 of this part, whichever date comes first, no owner or operator of an affected facility that combusts coal, wood or oil and has a heat input capacity of 30 million BTU per hour or greater shall cause to be discharged into the atmosphere from an affected facility any gases that exhibit greater than 20 percent opacity (6-minute average), except for one 6-minute period per hour of not more than 27 percent opacity.

Parameter Monitored: OPACITY

Upper Permit Limit: 20.0 percent



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Reference Test Method: Method 9

Monitoring Frequency: CONTINUOUS

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 24: Enforceability of particulate matter and opacity standards.

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.43c(d), NSPS Subpart Dc

Item 24.1:

This Condition applies to Emission Unit: E-00001

Item 24.2:

The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

Condition 25: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.44c(h), NSPS Subpart Dc

Item 25.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Item 25.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

THE FACILITY OWNER AND/OR OPERATOR MUST DEMONSTRATE COMPLIANCE WITH THE REQUIREMENTS OF 40 CFR 60.42c(h). FACILITIES DEMONSTRATING COMPLIANCE USING THE FUEL SUPPLIER CERTIFICATION, FOR SULFUR-IN-FUEL LIMITATIONS (BASED ON A PERCENT BY WEIGHT OF SULFUR IN THE FUEL), SHALL SUBMIT THE CERTIFICATION IN ACCORDANCE WITH THE PROVISIONS OF 40 CFR 60.48c(f)(1), (2), AND (3), AS APPLICABLE.

Parameter Monitored: SULFUR CONTENT



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 26: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.45c(a), NSPS Subpart Dc

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 26.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

initial performance test required by 40CFR60.8

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 27: Exemption from sulfur dioxide monitoring requirements.

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.46c(e), NSPS Subpart Dc

Item 27.1:

This Condition applies to Emission Unit: E-00001

Item 27.2:

Facilities subject to paragraphs 40 CFR 60-Dc.42c(h)(1), (2), or (3) showing compliance through vendor certification shall be exempt from section 40 CFR 60-Dc.46c.

Condition 28: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

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

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Item 28.2:

Compliance Demonstration 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:

- (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 29: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 29.2:



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each coal-fired, residual, oil-fired, or wood-fired affected facility subject to the opacity limits under §60.43c(c) shall submit excess emission reports, to the Administrator, semiannually. All reports shall be postmarked by the 30th day following the end of each semiannual reporting period.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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

Condition 30: Compliance Demonstration
Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 30.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 30.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.42c shall submit semi-annual reports to the Administrator.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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

Condition 31: Compliance Demonstration
Effective between the dates of 10/22/2001 and Permit Expiration Date

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



Applicable Federal Requirement: 40CFR 60.48c(e)(1), NSPS Subpart Dc

Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 31.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or percent reduction requirements under §60.43c shall keep records as required under §60.48c(d) including the following information.

Calendar dates covered in the reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 32: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.48c(e)(11), NSPS Subpart Dc

Item 32.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 32.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of each affected facility subject to the SO₂ emission limits, fuel oil sulfur limits, or



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

percent reduction requirements under §60.43c shall keep records as required under §60.48c(d) including the following information.

If fuel supplier certification is used to demonstrate compliance, records of fuel supplier certification as described under paragraph §60.48c(f)(1)(2) or (3). In addition to records of fuel supplier certification, the semi-annual report shall include a certified statement signed by the owner or operator of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the quarter.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2002.

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

Condition 33: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.48c(f)(1), NSPS Subpart Dc

Item 33.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 33.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Fuel supplier certification shall include the following information for distillate oil:

i) The name of the oil supplier, and

ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 34: Compliance Demonstration
Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 34.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: E-00001

Item 34.2:

Compliance Demonstration 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 combusted during each day.

Monitoring Frequency: DAILY

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 35: Duration of records maintained.
Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 35.1:

This Condition applies to Emission Unit: E-00001

Item 35.2:

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 36: Recordkeeping and reporting.
Effective between the dates of 10/22/2001 and Permit Expiration Date

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

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



Item 36.1:

This Condition applies to Emission Unit: E-00008

Item 36.2:

The facility shall maintain reports and records in accordance with the provisions of this section 40 CFR 60-Dc.48c.

Condition 37: Particulate matter limitation.

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 219-5.2(a)

Item 37.1:

This Condition applies to Emission Unit: I-00002

Item 37.2:

The incinerator must be operated to meet the particulate matter emission limits of Figure 1, Appendix 2 of 6NYCRR Part 219.

Condition 38: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 219-5.3(a)

Item 38.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: I-00002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 38.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Opacity emission limit.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 39: Abatement



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 219-5.5

Item 39.1:

This Condition applies to Emission Unit: I-00002

Item 39.2:

(a) Where the commissioner has reason to believe that an incinerator installation is violating the emission standards of section 219-5.2 of 6NYCRR, Subpart 219-5, the commissioner may have tests conducted. The owner must provide, at the owner's own expense, sampling holes and pertinent allied facilities as needed, at the request of the commissioner.

(b) If such tests indicate a contravention of the emission limits, the commissioner may require the installation of appropriate control equipment or the commissioner may seal the incinerator if such equipment is not installed within the time limit specified by the commissioner.

(c) The Commissioner may order the cleaning, repair, replacement or alteration of any equipment or control equipment which causes or is operated so as to cause a violation of 6NYCRR Subpart 219-5.

(d) The Commissioner may order a change in the manner of operation of any incinerator which is operated so as to cause a violation of 6NYCRR Subpart 219-5.

Condition 40: Compliance Demonstration

Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 40.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: T-00009

Item 40.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 41: Applicability of this Subpart to this emission source
Effective between the dates of 10/22/2001 and Permit Expiration Date**

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

Item 41.1:

This Condition applies to Emission Unit: T-00009

Item 41.2:

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.

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



STATE ONLY ENFORCEABLE CONDITIONS

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

Condition 42: General Provisions

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 42.1:

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 42.2:

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 42.3:

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 43: Permit Exclusion Provisions

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 43.1:

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).

The issuance of this permit by the Department and the receipt thereof by the Applicant does not supercede, 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



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

contained in such order or modification thereof unless specifically intended by 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 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 44: Emission Unit Definition
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 44.1:

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

Emission Unit: E-00001

Emission Unit Description:

THIS EMISSION UNIT IS FOR THREE (3)
76,000,000 BTU/HR INPUT NATURAL GAS / #2
OIL WATER TUBE STEAM BOILERS LOCATED IN THE
MACKAY POWER PLANT.

Building(s): MACKAY

Item 44.2:

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

Emission Unit: E-00008

Emission Unit Description:

1 boiler @ 25,106,000 BTU/HR which replaced the previous
boiler at Farber Hall. Supplies steam for Cary, Farber,
Sherman, Biomedical Research and Biomedical Education.

Building(s): FARBER

Item 44.3:

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

Emission Unit: I-00002

Emission Unit Description:

THIS EMISSION UNIT IS FOR TWO INCINERATORS
LOCATED IN THE BIOMEDICAL EDUCATION
BUILDING: ONE (1) LAB ANIMAL FACILITIES



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

INCINERATOR LOCATED ON THE GROUND FLOOR AND
ONE (1) HUMAN ANATOMY INCINERATOR LOCATED
ON THE THIRD FLOOR .

Building(s): BIOMEDICAL

Item 44.4:

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

Emission Unit: T-00009

Emission Unit Description:

This emission unit is a temporary boiler plant consisting of an 80,000,000 BTU/HR input natural gas water tube steam boiler and a 55,000,000 BTU/HR input natural gas water tube steam boiler. These will only operate while the MacKay Power Plant gets renovated and upgraded.

Building(s): TEMPORARY

Condition 45: Contaminant List

Effective between the dates of 10/22/2001 and Permit Expiration Date

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

Item 45.1:

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

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

Condition 46: Air pollution prohibited

Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 46.1:

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.

New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680



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

Condition 47: Emission Point Definition By Emission Unit
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 47.1:

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

Emission Unit: E-00001

Emission Point: 00001

Height (ft.): 165

Diameter (in.): 126

NYTMN (km.): 4762.5

NYTME (km.): 188.5

Building: MACKAY

Item 47.2:

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

Emission Unit: I-00002

Emission Point: 00002

Height (ft.): 63

Diameter (in.): 24

NYTMN (km.): 4762.5

NYTME (km.): 188.5

Building: BIOMEDICAL

Emission Point: 00003

Height (ft.): 80

Diameter (in.): 18

NYTMN (km.): 4762.5

NYTME (km.): 188.5

Building: BIOMEDICAL

Condition 48: Process Definition By Emission Unit
Effective between the dates of 10/22/2001 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 48.1:

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

Emission Unit: E-00001

Process: 001

Process Description:

THREE (3) 76 MILLION BTU/HR BOILERS. ALL
BOILERS FIRE NATURAL GAS / #2 OIL.

Emission Source/Control: ES001 - Combustion

Design Capacity: 76 million Btu per hour



New York State Department of Environmental Conservation

Permit ID: 9-1402-00680/00030

Facility DEC ID: 9140200680

Emission Source/Control: ES002 - Combustion
Design Capacity: 76 million Btu per hour

Emission Source/Control: ES003 - Combustion
Design Capacity: 76 million Btu per hour

Item 48.2:

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

Emission Unit: E-00008

Process: 008

Process Description:

ONE (1) 25,106,000 BTU/HR BOILER WHICH
REPLACED THE PREVIOUS BOILER AT FARBER
HALL. IT SUPPLIES STEAM FOR CARY, FARBER,
SHERMAN, BIOMEDICAL RESEARCH AND BIOMEDICAL
EDUCATION.

Emission Source/Control: ES004 - Combustion
Design Capacity: 25 million Btu per hour