New York State Department of Environmental Conservation

Permit Review Report

Permit ID: 5-1634-00022/00018
Renewal Number: 2
Modification Number: 2 04/09/2012

Facility Identification Data
Name: REENERGY CHATEAUGAY LLC
Address: 7019 ST RTE 374
CHATEAUGAY, NY 12920

Owner/Firm
Name: REENERGY CHATEAUGAY LLC
Address: 7019 ST RTE 374
CHATEAUGAY, NY 12920, USA
Owner Classification: Corporation/Partnership

Permit Contacts
Division of Environmental Permits:
Name: DENISE M WAGNER
Address: NYSDEC
PO BOX 296
RAY BROOK, NY 12977-0296
Phone:5188971234

Division of Air Resources:
Name: CHAD M SIEVERS
Address: NYSDEC - REGION 5
232 GOLF COURSE RD
WARRENSBURG, NY 12885
Phone:5186231226

Air Permitting Contact:
Name: ANTHONY MARCINIAK
Address: REENERGY CHATEAUGAY LLC
7019 STE RTE 374
CHATEAUGAY, NY 12920
Phone:5184973263

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project
Correction of a Minor Typo on Condition 5

Attainment Status

REENERGY CHATEAUGAY LLC is located in the town of CHATEAUGAY in the county of FRANKLIN.
The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter< 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.
** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

Permit Structure and Description of Operations
The Title V permit for REENERGY CHATEAUGAY LLC
is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:
combustion - devices which burn fuel to generate heat, steam or power
incinerator - devices which burn waste material for disposal
control - emission control devices
process - any device or contrivance which may emit air contaminants
that is not included in the above categories.

REENERGY CHATEAUGAY LLC is defined by the following emission unit(s):

Emission unit U00005 - This emission unit covers wood handling and storage operations.

Emission unit U00005 is associated with the following emission points (EP):
00005
Process: 006 is located at GROUND, Building YARD - This process includes the wood handling operations and associated equipment (truck dump/hopper, fuel conveyors and transfers, fuel screening/hog, fuel piles, fuel house and reclaim system, boiler feed system.

Emission unit U00004 - This emission unit covers operation of the fire pump which is located in the cooling tower pump house.

Emission unit U00004 is associated with the following emission points (EP):
00004
Process: 012 is located at FIRST, Building PUMPHOUSE - This emission point covers operation of the fire pump on distillate oil with a sulfur content of no greater than 0.08 wt%.

Emission unit U00003 - This unit is a caterpillar Model 3412 emergency generator.

Emission unit U00003 is associated with the following emission points (EP):
00003
Process: 004 is located at FIRST, Building MAIN - This process covers operation of the emergency generator on distillate oil with a sulfur content of less than or equal to 0.08 weight percent.

Emission unit U00002 - This unit is a Weil - McLain package boiler.

Emission unit U00002 is associated with the following emission points (EP):
00002
Process: 009 is located at FIRST, Building MAIN - This process covers operation of the Weil-McLain auxiliary boiler on distillate oil with a sulfur content of no greater than 0.08 wt%.

Emission unit U00001 - This unit is a Riley - Stoker boiler with hydro grate, with a maximum rated capacity of 275 mmBTU/hr. The main fuel is waste wood which includes burning up to 25% plywood and up to 30% creosote treated wood. An auxiliary distillate oil fired burner is used during start-up and at times of flame stabilization.

Emission unit U00001 is associated with the following emission points (EP):
00001
Process: 002 is located at FIRST, Building MAIN - This process includes combustion of waste wood and/or bark in the Riley stoker boiler. The waste wood includes the burning of up to 25% plywood or up to 30% creosote treated wood (railroad ties, utility poles). The waste wood specifications are included in the supporting documentation section.
Process: 007 is located at FIRST, Building MAIN - This process includes combustion of number two fuel oil in the Riley stoker boiler

Emission unit U00006 - This emission unit is a 20,000 gallon #2 fuel oil, above ground tank. This unit is located in the yard by the main building.

Emission unit U00006 is associated with the following emission points (EP):
00006
Process: 013 is located at Building YARD - 20,000 gallon storage tank for distillate oil (breathing

losses)

Title V/Major Source Status

REENERGY CHATEAUGAY LLC is subject to Title V requirements. This determination is based on the following information:
This facility is major for the following contaminants:

VOC >100 and < 250 TPY
CO >250 TPY
NOx > 250 TPY

Program Applicability

The following chart summarizes the applicability of REENERGY CHATEAUGAY LLC with regards to the principal air pollution
regulatory programs:

Regulatory Program	Applicability
PSD	YES
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	NO
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS)
for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA)
which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific

emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to
be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status
Facility is in compliance with all requirements.

SIC Codes
SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis
of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code	Description
4911	ELECTRIC SERVICES

SCC Codes
SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes

which result in air emissions for the purpose of assessing emission factor information.Each SCC represents
a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
1-01-005-01	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-01-009-03	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - WOOD/BARK WASTE Wood-Fired Boiler
2-02-001-02	INTERNAL COMBUSTION ENGINES - INDUSTRIAL INDUSTRIAL INTERNAL COMBUSTION ENGINE - DISTILLATE OIL(DIESEL) Reciprocating
3-99-999-94	MISCELLANEOUS MANUFACTURING INDUSTRIES MISCELLANEOUS INDUSTRIAL PROCESSES Other Not Classified
4-07-016-13	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - FIXED ROOF TANKS - ALKANES (PARAFFINS) Petroleum Distillate: Breathing Loss
4-07-016-14	ORGANIC CHEMICAL STORAGE ORGANIC CHEMICAL STORAGE - FIXED ROOF TANKS - ALKANES (PARAFFINS) Petroleum Distillate: Working Loss

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant , including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE lbs/yr	Range
007664-41-7	AMMONIA		>= 50 tpy but < 100 tpy

000630-08-0	CARBON MONOXIDE	>= 250 tpy but < 75,000 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 250 tpy but < 75,000 tpy
0NY075-00-0	PARTICULATES	>= 50 tpy but < 100 tpy
0NY075-00-5	PM-10	>= 50 tpy but < 100 tpy
007446-09-5	SULFUR DIOXIDE	>= 25 tpy but < 40 tpy
0NY998-00-0	VOC	>= 100 tpy but < 250 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

(b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.
(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

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

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

Item C: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.3(a)(4)

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

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant

to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official.This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5(a)(5)
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR 201-6.5(a)(6)
This permit does not convey any property rights of any sort or any exclusive privilege.

Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)
All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

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

such pollution;

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

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

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

Item K: Reopening for Cause - 6 NYCRR Part 201-6.5(i)

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 2 01-6.7 and Part 621.

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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

issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY	ECL 19-0301	77	Powers and Duties of the Department with respect to air pollution control
U-00001/00001	40CFR 52-A.21	49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62	Prevention of Significant Deterioration
FACILITY	40CFR 52-A.21(j)(2)	26, 27, 28	Best Available Control Technology (BACT) (see narrative)
U-00001	40CFR 52-A.21(j)(2)	34, 35, 36	Best Available Control Technology (BACT) (see narrative)
U-00001/00001/007	40CFR 52-A.21(j)(2)	67	Best Available Control Technology (BACT) (see narrative)

U-00002/00002	40CFR 52-A.21(j)(2)	68, 69, 70	Best Available Control Technology (BACT) (see narrative)
U-00003/00003	40CFR 52-A.21(j)(2)	71, 72, 73	Best Available Control Technology (BACT) (see narrative)
U-00004/00004	40CFR 52-A.21(j)(2)	74, 75	Best Available Control Technology (BACT) (see narrative)
U-00001/00001	40CFR 60-A.13(c)	63	General provisions - Monitoring requirements
U-00001/00001	40CFR 60-A.13(d)	64	General provisions - Monitoring requirements
U-00001/00001	40CFR 60-A.13(e)	65	General provisions - Monitoring requirements
U-00001/00001	40CFR 60-A.13(h)	66	General provisions - Monitoring requirements
FACILITY	40CFR 60-A.4	29	General provisions - Address
U-00001	40CFR 60-A.7(b)	37	Notification and Recordkeeping
U-00001	40CFR 60-A.7(c)	38	Notification and Recordkeeping
U-00001	40CFR 60-A.7(d)	47	Notification and Recordkeeping
U-00001	40CFR 60-A.7(f)	39	Notification and Recordkeeping
FACILITY	40CFR 60-A.8(c)	30	Performance Tests
U-00001	40CFR 60-A.9	40	General provisions - Availability of information
U-00001/-/007	40CFR 60-Db.47b(f)	46	Exemption from Emission Monitoring for Sulfur Dioxide.
U-00006	40CFR 60-Kb.116b(a)	76	NSPS for volatile organic liquid storage vessels- monitoring of operations
U-00001	40CFR 64	41, 42, 43, 44, 45	COMPLIANCE ASSURANCE MONITORING
FACILITY	40CFR 68	21	Chemical accident prevention provisions
FACILITY	40CFR 82-F	22	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	1 -1	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of

			collected contaminants to the air
FACILITY	6NYCRR 201-3.2(a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3(a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	23, 31, 32	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.5(a)(4)	15	General conditions
FACILITY	6NYCRR 201-6.5(a)(7)	2	General conditions Fees
FACILITY	6NYCRR 201-6.5(a)(8)	16	General conditions
FACILITY	6NYCRR 201-6.5(c)	3	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(c)(2)	4	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(c)(3)(ii	2 -1	Permit conditions for Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.5(d)(5)	17	Compliance schedules
FACILITY	6NYCRR 201-6.5(e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.5(f)(6)	18	Off Permit Changes
FACILITY	6NYCRR 202-1.1	2 -3	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.2	1 -2, 1 -3, 1 -4, 1 -5, 1 -6, 1 -7, 1 -8	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 211.3	20	General Prohibitions - visible emissions limited
FACILITY	6NYCRR 215.2	2 -2	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.8	24	Reports, sampling and analysis.
U-00001/00001	6NYCRR 227-1.3(a)	48	Smoke Emission Limitations.
FACILITY	6NYCRR 227-1.7(b)	25	General Test Methods.
U-00001	6NYCRR 227-1.7(b)	33	General Test Methods.

Applicability Discussion:
Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301
This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6
Acceptable ambient air quality - prohibits contravention of ambient air quality standards without

mitigating measures

6 NYCRR 200.7
Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4
This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7
Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8
Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)
An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)
The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to 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.

6 NYCRR Subpart 201-6
This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.5 (a) (4)
This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.5 (a) (7)
This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.5 (a) (8)
This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.5 (c)
This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.5 (c) (2)
This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.5 (c) (3) (ii)
This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.5 (d) (5)
This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.5 (e)
Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.5 (f) (6)
This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 202-1.1
This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1
Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENDar year.

6 NYCRR 202-2.5
This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2
This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

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

40 CFR Part 68
This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F
Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements
In addition to Title V, REENERGY CHATEAUGAY LLC has been determined to be subject to the following regulations:
40 CFR 52.21
This citation applies to facilities that are subject to Prevention of Significant Deterioration provisions;
ie: facilities that are located in an attainment area and that emit pollutants which are listed in 40 CFR 52.21(b)(23)(i) .

40 CFR 52.21 (j) (2)
BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the **special** permit conditions, separately by the permit reviewer.

40 CFR 60.116b (a)
This is the records retention requirement for all records required by this section.

40 CFR 60.13 (c)
This regulation specifies how monitoring shall be performed and which methods and appendices are used to determine if the monitoring is adequate and in compliance with the regulated standards.

40 CFR 60.13 (d)
This regulation contains the requirements for daily drift testing for continuous monitoring systems required by 40 CFR Part 60.

40 CFR 60.13 (e)
This regulation specifies minimum frequency of operation requirements for continuous monitoring systems required by 40 CFR Part 60.

40 CFR 60.13 (h)
This regulation specifies the data averaging requirements for continuous monitoring systems subject to 40 CFR Part 60.

40 CFR 60.4
This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.47b (f)
Facilities combusting very low sulfur oil are not subject to emission monitoring requirements of the section if they obtain fuel receipts as described in 40 CFR 60-Db.49b(r).

40 CFR 60.7 (b)
This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (c)
This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

40 CFR 60.7 (d)
This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40 CFR 60.7 (f)
This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 60.8 (c)
This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40 CFR 60.9
This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40 CFR Part 64
The federal Compliance Assurance Monitoring (CAM) rule, 40 CFR Part 64, requires monitoring of control device, capture system, and/or process parameters to provide a reasonable assurance of compliance with emission limitations or standards. It applies to emission units that use a control device to comply with certain standards and limitations and that have potential pre-control device emissions equal to or greater than a major source threshold.

Acid Rain program requirements; stratospheric ozone protection requirements; post-1990 New Source Performance Standards, Emission Guidelines, and National Emission Standards for Hazardous Air Pollutants; and some other limitations are exempt from CAM. However, many of the exempt requirements are subject to less stringent periodic monitoring under 40 CFR Part 70 and 6NYCRR Subpart 201-6.

6 NYCRR 225-1.8
This regulation requires an owner or operator of a facility which purchases and fires coal and/or oil to s ubmit reports to the commissioner containing fuel analysis data, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1.

6 NYCRR 227-1.3 (a)
This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6 NYCRR 227-1.7 (b)
This specifies the requirement for acceptable fuel sample test methods.

Compliance Certification
Summary of monitoring activities at REENERGY CHATEAUGAY LLC:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
U-00001/00001	49	continuous emission monitoring (cem)
U-00001/00001	50	continuous emission monitoring (cem)
U-00001/00001	51	continuous emission monitoring (cem)
U-00001/00001	52	continuous emission monitoring (cem)
U-00001/00001	53	continuous emission monitoring (cem)
U-00001/00001	54	intermittent emission testing
U-00001/00001	55	intermittent emission testing
U-00001/00001	56	intermittent emission testing
U-00001/00001	57	intermittent emission testing
U-00001/00001	58	intermittent emission testing
U-00001/00001	59	intermittent emission testing
U-00001/00001	60	work practice involving specific operations
U-00001/00001	61	intermittent emission testing
U-00001/00001	62	intermittent emission testing

FACILITY	26	record keeping/maintenance procedures
FACILITY	27	record keeping/maintenance procedures
FACILITY	28	work practice involving specific operations
U-00001	35	record keeping/maintenance procedures
U-00001	36	record keeping/maintenance procedures
U-00001/00001/007	67	work practice involving specific operations
U-00002/00002	68	work practice involving specific operations
U-00002/00002	69	work practice involving specific operations
U-00002/00002	70	record keeping/maintenance procedures
U-00003/00003	71	record keeping/maintenance procedures
U-00003/00003	72	work practice involving specific operations
U-00003/00003	73	work practice involving specific operations
U-00004/00004	74	work practice involving specific operations
U-00004/00004	75	work practice involving specific operations
U-00001/00001	63	record keeping/maintenance procedures
U-00001/00001	64	record keeping/maintenance procedures
U-00001/00001	65	record keeping/maintenance procedures
U-00001/00001	66	record keeping/maintenance procedures
U-00001	38	record keeping/maintenance procedures
FACILITY	30	record keeping/maintenance procedures
U-00001	41	record keeping/maintenance procedures
U-00001	42	continuous emission monitoring (cem)
U-00001	43	continuous emission monitoring (cem)
U-00001	44	continuous emission monitoring (cem)
U-00001	45	monitoring of process or control device parameters as surrogate
FACILITY	2-1	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	1-3	monitoring of process or control device parameters as surrogate
FACILITY	1-4	monitoring of process or control device parameters as surrogate
FACILITY	1-5	monitoring of process or control device parameters as surrogate
FACILITY	1-6	monitoring of process or control device parameters as surrogate
FACILITY	1-7	record keeping/maintenance procedures
FACILITY	1-8	record keeping/maintenance procedures
FACILITY	24	record keeping/maintenance procedures
U-00001/00001	48	monitoring of process or control device parameters as surrogate
U-00001	33	record keeping/maintenance procedures

Basis for Monitoring

40CFR 52.21(j)(2), Subpart A - The facility's #2 oil is limited to less than 0.08%S to limit SO2 emissions for PSD purposes.

6NYCRR 227-1.7(b) - The percent makeup of wood burned (plywood and creosote treated) is based on the maximum percent tested previously which demonstrated compliance with emission requirements.

40CFR 52.21(j)(2), Subpart A - Wood waste is inspected upon receipt to assure that only unadulterated material is burned.

40CFR 64 - Opacity (1hr and 8 hr ave, plus 7 day average) is used as a surrogate of PM-10 for compliance assurance monitoring purposes. Power input to the electrostatic precipitator is an additional surrogate parameter to assure compliance with the PM-10 limit.

40 CFR 52.21, Subpart A - The facility's emissions of NOx, PM/PM-10, SO2, VOC & CO are limited for PSD purposes.

40CFR 60.116b(a), NSPS Subpart Kb - The facility's fuel oil storage tank is subject to Subpart Kb.