Division of Air Resources

Permit Review Report

Permit ID: 8-2699-00126/00001
Renewal Number: 1
Modification Number: 1 10/20/2023

Facility Identification Data
Name: RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK
Address: EASTMAN BUSINESS PARK UTILITIES WATER, POWER, WASTEWATER|1669 LAKE AVE
ROCHESTER, NY 14650-0001

Owner/Firm
Name: RED-ROCHESTER LLC
Address: 640 QUAIL RIDGE DR
WESTMONT, IL 60559, USA
Owner Classification: Corporation/Partnership

Permit Contacts
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Phone:

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
Application for a minor modification of the Air Title V facility permit to add a 630-bhp diesel-fired starter engine for the combustion turbine which is included under Emission Unit U-00015, Process K28. The starter engine will be used to accelerate and maintain the speed of the turbine until the turbine reaches a

self-sustaining speed. The starter engine is used for turbine start-up only and will operate for a limited number of hours per year.

The Project Emission Potential (PEP) from the starter engine (i.e., PTE emissions) are below New Source Review (NSR) Significant Project Thresholds under 6 NYCRR 231-9 and therefore not subject to NSR requirements. However, because the engine is associated with the previously permitted combustion turbine, to avoid circumvention the starter engine has been included under the existing VOC, NOx, PM2.5, PM10, PM, and CO limits established as part of the netting analysis for the Powerhouse Conversion Project (Ren 0, Mod 1 Air Title V permit). These limits apply to process steam and electricity production operations (Emission Unit U-00015) and are contained in monitoring conditions under 6 NYCRR 231-6.2 and 6 NYCRR 231-8.2. Excluding adding the starter engine, there has been no change to the limits or prior monitoring methods as part of this minor modification.

The starter engine is subject to 40 CFR 60, Subpart IIII NSPS Stationary Compression Ignition Internal Combustion Engines. The facility must comply with the applicable requirements of Subpart IIII.

Since the Ren 1, Mod 0 permit the facility owner or operator has commenced construction of the combustion turbine and duct burner (Sources 321BA and 321BE, respectively) which were authorized to operate under prior permits. The combustion turbine purchased by the facility owner or operator is natural gas-fired only and does not have the capability to burn fuel oil as a backup fuel. At the time of initial permitting, it was assumed that the combustion turbine would be dual fuel-fired and prior permits included regulatory requirements for the turbine operating on fuel oil (Process K26) and associated permit conditions. Therefore, as part of this modification, Process K26 has been removed from the permit, references to the combustion turbine operating on fuel oil have been removed, and the NOx RACT and NSR limits while firing fuel oil have been removed. There are no changes to the combustion turbine and duct burner requirements while firing natural gas.

In response to a request by the Department, a case-by-case NOx RACT analysis for the combustion turbine and duct burner was submitted by the facility owner or operator on November 29, 2022 to evaluate whether the existing permit limits are still considered RACT. Based on this analysis, the existing permit limits for the combustion turbine and duct burner are still considered RACT and will be met using dry low-NOx burners on the combustion turbine. Accordingly, the listed controls for the combustion turbine have been updated to dry low-NOx burners to reflect this analysis. The RACT limit permit conditions for the turbine and duct burner have been revised to require revaluation of RACT upon the next permit renewal (Renewal 2).

Please note that the purchased duct burner heat input rate is lower than originally permitted and has been revised to reflect the actual equipment specifications. This change in combination with removal of fuel oil firing capabilities will reduce PTE emissions from this process.

Miscellaneous changes to permit conditions have been made to reflect updated regulations or to improve clarity. Specifically, the following corrections or changes are noted:

- Prior permits contained several conditions which were noted as applicable to Emission Unit U-00015. As part of this modification, these conditions have been revised to more clearly specify which sources are subject to these requirements. No changes have been to the condition requirements or underlying applicability.
- Process DSL has been removed from this permit since it was redundant with Processes CIL and EHG and did not have any applicable conditions.

- Prior permits erroneously excluded requirements under 6 NYCRR 251 for the combustion turbine. Applicable requirements have been added for Part 251 as part of this modification to correct this omission.

Attainment Status
RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK is located in the town of ROCHESTER in the county of MONROE.
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:
RED-Rochester, LLC operations at Eastman Business Park include: Electricity and steam generation operations located in Building 31, 321, and 371 and their associated fuel oil storage and boiler water operations; Kings Landing wastewater treatment operations including the Bldg 95 Multiple Hearth Incinerator (MHI); solvent metal parts cleaning; and, other stationary combustion sources and emergency engines.

Permit Structure and Description of Operations
The Title V permit for RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK 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.

RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK is defined by the following emission unit(s):

Emission unit U00015 - This emission unit corresponds to stationary combustion installations in buildings 31, 321 and 371, including package and built-up boilers. The boilers are capable of firing natural gas and/or fuel oil and are used for the generation of process steam and electricity that is supplied throughout Eastman Business Park. This emission unit also includes a combustion turbine and duct burner used for steam and electricity generation.

Emission unit U00015 is associated with the following emission points (EP):
00001, 00004, 321A0, HPNG1, HPNG2, HPNG3, MPDF1, PGT01, START
Process: K07 is located at Building 031 - No.6 fuel oil combustion in package boilers.

Process: K14 is located at Building 321 - No. 2 fuel oil combustion in Boiler #44 rated at 670 MMBtu/hr.

Process: K20 is located at Building 321 - Natural gas combustion in Boiler #44 rated at 694 MMBtu/hr.

Process: K21 is located at Building 371 - Natural gas combustion in turbine (ES 321BA),rated at 50 Megawatts, and optional CO catalyst.

Process: K22 is located at Building 371 - Natural gas combustion in Duct Burner and optional CO catalyst.

Process: K23 is located at Building 371 - No. 2 fuel oil combustion in the medium pressure dual-fuel boiler (Boiler #45), rated at 264 MMBtu/hr.

Process: K24 is located at Building 371 - Natural gas combustion in high pressure gas-fired boilers (Boiler #46, Boiler #47, Boiler #48), each rated at 370 MMBtu/hr, and the medium pressure dual-fuel boiler (Boiler #45), rated at 264 MMBtu/hr.

Process: K25 is located at Building 321 - Boiler feedwater additive storage.

Process: K28 is located at Building 321 - Starter engine for the turbine firing No. 2 fuel oil.

Emission unit UCLEAN - This emission unit corresponds to four solvent metal parts washers used for facility operations and maintenance.

Process: 226 is located at &1,31,87,321,332, Building 027 - Solvent metal cleaning machines with 6 NYCRR Part 226 applicability which would otherwise be exempt or trivial under Subpart 201-3.

Emission unit ENGINE - This emission unit corresponds to two (2) stationary compression ignition engines used as emergency fire pump engines and three (3) small (less than 10 MMBtu/hour) miscellaneous natural gas-fired boilers used for space heat that would otherwise be exempt from permitting.

Process: CIL is located at Building 602 - Emergency stationary reciprocating internal combustion engines (RICE)/compression ignition (CI) engines less than 500 Brake HP which commenced construction or reconstruction before June 12, 2006.

Process: EHG is located at Building 311 - Emergency stationary reciprocating internal combustion engines (RICE)/compression ignition (CI) engines greater than 500 Brake HP which commenced construction or reconstruction before December 19, 2002.

Process: NGS is located at and 095, Building 091 - Small natural gas-fired combustion sources with 6 NYCRR Part 227 applicability which would otherwise be Exempt or Trivial under Subpart 201-3.

Emission unit U00008 - This emission unit corresponds to the Kings Landing wastewater treatment plant which receives and treats wastewater from Eastman Business Park. Operations at the treatment plant include general processes associated with wastewater treatment, wastewater treatment sludge incineration in the Multiple Hearth Incinerator (MHI) and associated emissions control equipment, and fugitive emissions from the treatment plant.

Emission unit U00008 is associated with the following emission points (EP):
09103, 09104, 09105, 09106, 09107, 09503, 09504, 09508, 09511, 09601, R1601, R1603
Process: K02 is located at Building 095 - Wastewater treatment sludge incineration in a Multiple Hearth Incinerator (MHI) subject to 40 CFR 63, Subpart EEE.

Process: K04 is located at and 095, Building 091 - Storage tanks subject to 6 NYCRR Part 229.

Process: K06 is located at and 095, R16, 096, Building 091 - General process sources associated with wastewater treatment operations.

Title V/Major Source Status
RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK is subject to Title V requirements. This determination is based on the following information:
This facility is a major source because it has potential emissions of oxides of nitrogen, carbon monoxide, volatile organic compounds, particulates (PM2.5 and PM10), and total hazardous air pollutants in excess of their respective major source thresholds (100 tpy, 100 tpy, 50 tpy, 100 tpy, 100 tpy, and 25 tpy, respectively).

Additionally, the Multiple Hearth Incinerator (MHI) (ES 095AF) located at the King's Landing Wastewater Treatment Plant (EU U-00008) is subject to 40 CFR 63, Subpart EEE - Hazardous Waste Combustor NESHAP. Facilities subject to 40 CFR 63, Subpart EEE are required to obtain an Air Title V permit per 40 CFR 63.1200(a).

Program Applicability
The following chart summarizes the applicability of RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK with regards to the principal air pollution
regulatory programs:

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

NOTES:
PSD Prevention of Significant Deterioration (40 CFR 52.21, 6 NYCRR 231-7, 231-8) - 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 231-5, 231-6) - 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, 6 NYCRR 200.10) - 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, 6 NYCRR 200.10) - 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, 6 NYCRR 200.10) - 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, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - 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 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 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, 6 NYCRR 200.10) - 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
4931	ELEC & OTHER SERVICES COMBINED

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
1-01-005-04	EXTERNAL COMBUSTION BOILERS - ELECTRIC GENERATION ELECTRIC UTILITY BOILER - DISTILLATE OIL Grade 4 Oil: Normal Firing
1-02-004-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - RESIDUAL OIL 10-100MMBTU/HR **
1-02-005-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-02-006-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS Over 100 MBtu/Hr
1-02-006-02	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS 10-100 MMBtu/Hr
1-02-006-03	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS Less Than 10 MMBtu/Hr
2-01-001-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) Turbine
2-01-001-02	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) Reciprocating
3-01-820-02	CHEMICAL MANUFACTURING CHEMICAL MANUFACTURING - WASTEWATER AGGREGATE WASTEWATER TREATMENT
3-16-130-02	PHOTOGRAPHIC PRODUCT MANUFACTURING STORAGE OPERATIONS GENERAL STORAGE OPERATIONS
4-01-003-36	ORGANIC SOLVENT EVAPORATION COLD SOLVENT CLEANING/STRIPPING Entire Unit
5-03-005-06	SOLID WASTE DISPOSAL - INDUSTRIAL SOLID WASTE DISPOSAL: INDUSTRIAL - INCINERATION Sludge

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 for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents

a federally enforceable emissions cap or limitation for that contaminant. 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	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
000124-38-9	CARBON DIOXIDE		77856		
000630-08-0	CARBON MONOXIDE		75000	158946	
0NY210-00-0	OXIDES OF NITROGEN		75000	795821	
0NY075-00-0	PARTICULATES		75000	40016	
0NY075-02-5	PM 2.5		250	50508	
0NY075-00-5	PM-10		75000	38631	
007446-09-5	SULFUR DIOXIDE		75000	1508609	
0NY100-00-0	TOTAL HAP		250	39344	
0NY998-00-0	VOC		75000	5464	

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: 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 B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(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 C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(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 D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(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 E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(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 F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(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 G: Property Rights - 6 NYCRR 201-6.4(a)(6)
This permit does not convey any property rights of any sort or any exclusive privilege.

Item H: Severability - 6 NYCRR Part 201-6.4(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 I: Permit Shield - 6 NYCRR Part 201-6.4(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 J: Reopening for Cause - 6 NYCRR Part 201-6.4(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 K: 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 L: 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: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department 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 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 and maintained;
(3) During the period of the emergency the facility owner 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 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 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_02

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

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

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

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY	ECL 19-0301	188	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 52-A.21	1 -11	Prevention of Significant Deterioration
FACILITY	40CFR 60-A	1 -12	General provisions
U-00015/-/K22	40CFR 60-Db.46b(f)	179	Compliance and Performance Test Methods and Procedures for Particulate Matter and and Nitrogen Oxides.
U-00015	40CFR 60-Db.49b(d)	139	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 60-Db.49b(g)	1 -13	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 60-Db.49b(h)	1 -14	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 60-IIII	1 -15	Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
U-00008/-/K02	40CFR 61-A	55	General Provisions - applicability of part 61
FACILITY	40CFR 61-FF.342(a)	40	Benzene Emissions from Benzene waste operations - standards: general
FACILITY	40CFR 61-FF.356(a)	41	Benzene Emissions from Benzene waste operations - recordkeeping requirements
FACILITY	40CFR 61-FF.356(b)(1)	42	Benzene Emissions from Benzene waste operations - recordkeeping requirements
FACILITY	40CFR 61-FF.357(a)	43	Benzene Emissions from Benzene waste operations - reporting reqts
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			Hydrochloric acid and chlorine gas monitoring provisions
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			insignificant mods - less than 50% with excluded emissions
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U-00015	6NYCRR 242-1.4(b)	195	CO2 Budget Trading Program - Limited exemption - units w/ electrical output to the grid restricted by permit conditions
U-00015/PGT01	6NYCRR 251.3(a)(1)	1 -32, 1 -33	Emission limits.

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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (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 201-6.4 (d) (4)
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 201-6.4 (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 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 202-2.5
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, RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK 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 60.46b (f)
This citation specifies the requirements to determine compliance with the emissions limits for duct burners used in combined cycle systems.

40 CFR 60.49b (d)
This subdivision requires reporting and recordkeeping for affected steam generating units - annual fuel capacity factors.

40 CFR 60.49b (g)
This subdivision requires reporting and recordkeeping for affected steam generating units - specific oxides of nitrogen requirements.

40 CFR 60.49b (h)
This subdivision specifies that the facility must submit excess emission reports.

40 CFR 61.342 (a)
Conditions under this rule outline the requirements for chemical manufacturing plants, coke byproduct recovery plants and petroleum refineries to show that they manage less than 10 megagrams per year of benzene from facility waste. Staying below this threshold exempts the plant from the substantive requirements of the Benzene Recovery NESHAP.

40 CFR 61.356 (a)
This regulation requires the owner or operator to comply with the recordkeeping requirements of 40 CFR 61.356. Each record must be maintained in a readily accessible location at the facility site for a period not less than two years from the date the information is recorded unless otherwise specified

40 CFR 61.356 (b) (1)
This regulation requires the owner or operator to maintain records that identify each waste stream at the facility subject to 40 CFR 61 Subpart FF, and indicate whether or not the waste stream is controlled for benzene emissions in accordance with this subpart.

40 CFR 61.357 (a)
This regulation requires each owner or operator of a chemical plant, petroleum refinery, coke by-product recovery plant, and any facility managing wastes from these industries to submit to the EPA a report that summarizes the regulatory status of each waste stream subject to Sec. 61.342 and is determined by the

procedures specified in 40 CFR 61.355(c) to contain benzene.

40 CFR 61.357 (b)
If the total annual benzene quantity from the facility is less than 1 Mg/yr, this regulation requires the owner or operator to submit to the DEC and/or EPA a report that updates the information listed in paragraphs (a)(1) through (a)(3) of 40 CFR 61.357 whenever there is a change in the process generating the waste stream that could cause the total annual benzene quantity from facility waste to increase to 1 Mg/yr or more.

40 CFR 63.1200 (c)
Conditions under §63.1200(c) incorporate by reference the General Provisions of 40 CFR 63 Subpart A that apply to Subpart EEE affected sources.

40 CFR 63.1206 (c)
Summary of Operating requirements:
(1) General.
(2) Startup, shutdown, and malfunction plan.
(3) Automatic waste feed cutoff
(4) ESV openings
(5) Combustion System Leaks
(6) Operator training and certification.
(7) Operation and maintenance plan

40 CFR 63.1206 (c) (2)
This condition reduces the emissions of hazardous air pollutants (HAPs) by requiring the facility to come up with a way to reduce emissions when they are starting up or shutting down the combustor and related equipment, or when the equipment malfunctions. This condition requires the facility to develop a plan for dealing with these situations and minimizing the amount of toxic chemicals that get released to the atmosphere at these times.

40 CFR 63.1206 (c) (3)
This condition reduces the emissions of hazardous air pollutants (HAPs) by requiring the facility to implement an automatic shut-off system that will shut down the equipment that feeds hazardous waste into the incinerator. This will be done whenever any monitored value exceeds the emission standard set in this air permit.

40 CFR 63.1206 (c) (4)
This condition reduces the emissions of hazardous air pollutants (HAPs) by requiring the facility to implement ways to reduce HAP emissions when emergency safety vents (ESVs) are opened. The facility must develop and implement a plan to deal with ESV openings and try to correct the cause of the opening as fast as possible.

40 CFR 63.1206 (c) (5)
This condition requires the facility to reduce leaks of hazardous air pollutants (HAPs) by taking steps to

reduce the leaking of HAPs in the combustion chamber.

40 CFR 63.1206 (c) (6)
This condition requires the facility to train their employees in order that they can operate the hazardous waste combustion system so that releases of hazardous air pollutants are minimized. This condition requires certain personnel to be certified and can operate the combustion system in an efficient manner to reduce HAP emissions.

40 CFR 63.1206 (c) (7)
These conditions requires the facility to reduce hazardous air pollutant (HAP) emissions by creating and following an operation and maintenance plan (O&M plan) to run the hazardous waste combustion system in an efficient manner.

These conditions also require the facility to operate the baghouse (if it is equipped with one) with a leak detection system. This system must be monitored to make sure that hazardous air pollutant emissions do not escape through tears or other malfunctions in the fabric filters.

40 CFR 63.1207
This citation specifies the performance testing requirements as follows:
(a) General.
(b) Types of performance tests
(c) Initial comprehensive performance test
(d) Frequency of testing.
(e) Notification of performance test and CMS performance evaluation, and approval of test plan and CMS performance evaluation plan.
(f) Content of performance test plan.
(g) Operating conditions during testing.
(h) Operating conditions during subsequent testing.
(i) Time extension for subsequent performance tests.
(j) Notification of Compliance
(k) Failure to submit a timely notification of compliance.
(l) Failure of performance test
(m) Waiver of Performance Test
(n) Feedrate limits for nondetectable constituents.

40 CFR 63.1207 (j) (1)
This condition requires the facility to report to the NYSDEC whether the comprehensive performance test they performed showed that the facility met the emission standards in the hazardous waste combustor NESHAP rule. The report shall also have the operating parameter limits listed which will prove that the facility will continuously be in compliance until the next confirmatory performance test.

40 CFR 63.1207 (j) (2)
This condition requires the facility to report the results of the confirmatory performance test which will prove whether the hazardous waste combustor at the facility still meets the emission standards in the hazardous waste combustor NESHAP rule.

40 CFR 63.1207 (l)
This condition details steps that the facility must undertake if a performance test shows that the hazardous waste combustor does not meet the emission standards contained in the hazardous waste combustor NESHAP.

40 CFR 63.1209 (a) (6)
This condition specifies how the facility will calculate the averages from the readings on its continuous emission monitors. This calculation will be compared to the emission limits to determine whether the facility is in compliance with the hazardous waste combustor NESHAP.

40 CFR 63.1209 (b)
(b) Other continuous monitoring systems (CMS).
(1) You must use CMS (e.g., thermocouples, pressure transducers, flow meters) to document compliance with the applicable operating parameter limits under this section.
(2) Except as specified in paragraphs (b)(2)(i) and (ii) of this section, you must install and operate continuous monitoring systems other than CEMS in conformance with § 63.8(c)(3) that requires you, at a minimum, to comply with the manufacturer's written specifications or recommendations for installation, operation, and calibration of the system:
(i) Calibration of thermocouples. The calibration of a thermocouple or other temperature sensor must be verified at least once every three months; and
(ii) Accuracy and calibration of weight measurement devices. The accuracy of weight measurement devices used to monitor flowrate of a feedstream (e.g., activated carbon feedrate, sorbent feedrate, nonpumpable waste) must be ± 1 percent of the weight being measured. The calibration of the device must be verified at least once every three months.
(3) CMS must sample the regulated parameter without interruption, and evaluate the detector response at least once each 15 seconds, and compute and record the average values at least every 60 seconds.
(4) The span of the non-CEMS CMS detector must not be exceeded. You must interlock the span limits into the automatic waste feed cutoff system required by § 63.1206(c)(3).
(5) Calculation of rolling averages -- (i) Calculation of rolling averages initially. Continuous monitoring systems must begin recording one-minute average values by 12:01 a.m., hourly rolling average values by 1:01 a.m.(e.g., when 60 one-minute values will be available for calculating the initial hourly rolling average), and twelve-hour rolling averages by 12:01 p.m.(e.g., when 720 one-minute averages are available to calculate a 12-hour rolling average), for those sources that come into compliance on the regulatory compliance date. Sources that elect to come into compliance before the regulatory compliance date must begin recording one-minute, hourly rolling average, and 12-hour rolling average values within 60 seconds, 60 minutes (when 60 one-minute values will be available for calculating the initial hourly rolling average), and 720 minutes (when 720 one-minute values will be available for calculating the initial 12-hour hourly rolling average) respectively, from the time at which compliance begins.
(ii) Calculation of rolling averages upon intermittent operations. You must ignore periods of time when one-minute values are not available for calculating rolling averages. When one-minute values become available again, the first one-minute value is added to the previous one-minute values to

calculate rolling averages.
(iii) Calculation of rolling averages when the hazardous waste feed is cutoff. (A) Except as provided by paragraph (b)(5)(iii)(B) of this section, you must continue to monitoring operating parameter limits with a CMS when the hazardous waste feed is cutoff if the source is operating. You must not resume feeding hazardous waste if an operating parameter exceeds its limit.
(B) You are not subject to the CMS requirements of this subpart during periods of time you meet the requirements of § 63.1206(b)(1)(ii) (compliance with emissions standards for nonhazardous waste burning sources when you are not burning hazardous waste).

40 CFR 63.1209 (b) (5)
This condition details how the facility shall calculate the hourly rolling averages to determine whether the parameter limits are being met continuously.

40 CFR 63.1209 (c) (2)
This condition requires the facility to develop a feedstream analysis plan in order to determine whether the properties of the feedstream meet the operating limits in this subpart. This analysis should include information on what the facility will measure, and how the parameter will be measured. The plan will be recorded in the facility's operating record.

40 CFR 63.1209 (g) (2)
This regulation allows the Department to specify additional or alternative monitoring requirements to demonstrate compliance with the emission standards of 40 CFR 63, Subpart EEE. Additional or alternative requirments may be specified by the Department on a case-by-case basis at any time (e.g., during review of the comprehensive performance test plan, during compliance certification review.)

40 CFR 63.1209 (k) (2)
This condition requires that in order for the facility to determine if it is complying with the dioxin and furan emission standard, then a maximum flue gas flowrate or production rate must be established during the performance test.

40 CFR 63.1209 (k) (4)
This condition requires that in order for the facility to determine if it is complying with the dioxin and furan emission standard, then parameters must be established during the performance test which indicate proper operation of the waste firing system.

40 CFR 63.1209 (l) (1)
During the comprehensive performance test, the maximum level of mercury is established which will ensure that the hazardous waste combustor does not exceed the emission limit for mercury. The facility will then need to monitor the mercury content of the hazardous waste to prove that the limit has not been exceeded.

40 CFR 63.1209 (l) (2)
This condition requires the facility to establish operating limits for a wet scrubber in order to control the emissions of mercury to a level that complies with the mercury emission limit.

40 CFR 63.1209 (m) (1) (i) ('A')
If the facility equips the hazardous waste combustor with a high energy wet scrubber, then this condition requires the facility to monitor certain parameters to make sure the scrubber is working properly to control hazardous air pollutant emissions. This condition specifically requires the facility to monitor the pressure drop across the scrubber.

40 CFR 63.1209 (m) (1) (i) ('B') ('1')
This regulation requires that the liquid level in the Entrainment Separator Sump (Control Device 09510) (Venturi/Separator Recycle Tank) be maintained at or above 33 inches on a rolling hourly basis. The liquid level shall be monitored on a continuous basis when wastewater, grit or debris is being incinerated

40 CFR 63.1209 (m) (1) (i) ('C')
If the facility equips the hazardous waste combustor with a high energy wet scrubber, then this condition requires the facility to monitor certain parameters to make sure the scrubber is working properly to control hazardous air pollutant emissions.

40 CFR 63.1209 (m) (3)
This regulation requires that the facility owner or operator limit the maximum ash feed rate to the hazardous waste incinerator to reduce emissions of particulate matter. The ash feed rate shall be monitored on a continuous basis using data collected as described in the feed analysis plan and shall be established during each comprehensive performance test.

40 CFR 63.1209 (n) (2)
This regulation requires that the Multiple Hearth Incinerator (MHI) not exceed 14,441 grams/12 hour on a rolling 12-hourly basis. The low-volatile metal feed rate shall be monitored on a continuous basis using data collected for the feed analysis plan and the continuous sludge feed rate measurement when wastewater, grit or debris is being incinerated

40 CFR 63.1209 (o) (1)
In order for the hazardous waste combustor to meet the emission limits for hydrochloric acid and chlorine gas, then during the comprehensive performance test the facility must establish operating limits that prove that the facility will be in compliance with the metal limits as long as the operating parameter is being met. This condition specifically requires the facility to set a limit for the maximum amount of chlorine and chloride in the hazardous waste feedstream.

40 CFR 63.1209 (o) (3) (ii)
If the facility equips the hazardous waste combustor with a low energy wet scrubber, then this condition

requires the facility to monitor certain parameters to make sure the scrubber is working properly to control hydrochloric acid and chloride gas emissions. This condition specifically requires the facility to monitor the pressure drop across the scrubber.

40 CFR 63.1209 (o) (3) (iv)
If the facility equips the hazardous waste combustor with a wet scrubber, then this condition requires the facility to monitor certain parameters to make sure the scrubber is working properly to control hydrochloric acid and chloride gas emissions. This condition specifically requires the facility to monitor the pH in the scrubber.

40 CFR 63.1209 (o) (3) (v)
If the facility equips the hazardous waste combustor with a low energy wet scrubber, then this condition requires the facility to monitor certain parameters to make sure the scrubber is working properly to control hydrochloric acid and chloride gas emissions. This condition specifically requires the facility to monitor the minimum liquid-gas ratio or minimum scrubber water flowrate and maximum flue gas flowrate in the scrubber.

40 CFR 63.1211 (a)
This citation specifies the reporting requirements for subject Hazardous Waste Combustors.

40 CFR 63.1211 (b)
This condition lists the information that the facility must keep on record at the plant. This information will assist the Department when the facility is inspected in order to determine whether the plant has been in compliance with the emission standards listed in this Subpart EEE. Information that must be recorded includes instrument readings which indicate whether any control devices were working, whether there were any startups, shutdowns, or malfunctions at the facility, and whether the plant has changed its operation in a way that could affect the emissions from the incinerator.

40 CFR 63.1219 (a)
The emission limit for dioxin from the unit is 0.20 nanograms of TEQ per dry standard cubic foot.

40 CFR 63.6665
This regulation specifies which provisions of the General provisions (Subpart A of 40 CFR 63) apply to the owner or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR 63.680 (d)
This citation states the provisions under which a facility is exempted from Subpart DD.

40 CFR 63.680 (f)
Facilities that are subject to Subpart DD are also subject to some of the general provisions listed in

Subpart A of 40 CFR Part 63. This regulation lists these provisions.

40 CFR 63.7500 (a) (1)
These conditions state what emission limits and management practices affected sources with which the owner or operator must comply.

40 CFR 63.7500 (a) (2)
These conditions state the operating limits owners or operators of industrial, commercial, or institutional boilers must follow.

40 CFR 63.7500 (a) (3)
This condition states that the owner or operator must operate and maintain the affected source consistent with good air control practices.

40 CFR 63.7500 (c)
This condition states the requirements for limited use boilers and process heaters.

40 CFR 63.7505 (c)
This condition states that compliance must be demonstrated through performance tests, fuel analysis, or continuous monitoring system.

40 CFR 63.7505 (d)
This condition states that owners or operators of industrial, commercial, and institutional boilers who demonstrate compliance with any applicable emission limit through stack testing and subsequent compliance with operating limits must develop a site-specific monitoring plan.

40 CFR 63.7510 (e)
This condition states that the owner or operator must demonstrate initial compliance no later than 180 days after the compliance date.

40 CFR 63.7510 (g)
This condition states when the owner or operator of a new source subject to work practices for subpart DDDDD must demonstrate initial compliance.

40 CFR 63.7515 (h)
This condition states the testing requirements for boilers firing ultra low sulfur liquid fuel.

40 CFR 63.7520
This regulation sets forth the requirements for stack tests to be conducted on industrial, commercial and institutional boilers at facilities that emit hazardous air pollutants.

40 CFR 63.7525 (a)
This regulation requires the installation of a continuous oxygen monitor at the outlet of the boiler.

40 CFR 63.7530 (b)
This citation specifies the requirements for establishing all site specific operating parameters that apply based on performance testing.

40 CFR 63.7530 (h)
This citation specifies the applicable work practice requirements under Table 3 of this Subpart during periods of startup and shutdown for units subject to emission limits under Tables 1 or 2 or 11 through 13.

40 CFR 63.7535
This citation specifies the minimum monitoring and data collection requirements under this Subpart.

40 CFR 63.7540 (a)
This condition states how to demonstrate continuous compliance with emission limits, work practice standards, and operating limits.

40 CFR 63.7545 (d)
This condition states when a notification of intent to conduct a performance test must be submitted.

40 CFR 63.7550 (b)
This condition states when reports must be submitted.

40 CFR 63.7550 (c)
This condition states the requirements for the compliance report.

40 CFR 63.7550 (d)
This condition states the requirements for reporting deviations at facilities not using a continuous monitoring system.

40 CFR 63.7550 (e)
This condition states the requirements for reporting deviations at facilities using a continuous monitoring system.

40 CFR 63.7550 (h)
Specifies the report submittal procedures and methods.

40 CFR 63.7555 (a)
This condition states what records must be kept.

40 CFR 63.7555 (b)
This condition states the recordkeeping requirements for continuous monitoring systems.

40 CFR 63.7555 (c)
This condition states the recordkeeping requirements for monitored data.

40 CFR 63.7555 (d)
This condition states the recordkeeping requirements for boilers and process heaters subject to emission limits.

40 CFR 63.7560
This condition states in what form the records must be kept.

40 CFR 63.7565
This regulation specifies which provisions of the General provisions (Subpart A of 40 CFR 63) apply to the owner or operators of industrial, commercial, and institutional boilers at major source facilities of

hazardous air pollutants.

40 CFR Part 60, Subpart A
This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 60, Subpart IIII
Subpart IIII applies to new and reconstructed compression ignition reciprocating internal combustion engines. Sources subject to Subpart IIII must comply with emission standards for hydrocarbons, nitrogen oxides, carbon monoxide, and particulate matter.

40 CFR Part 61, Subpart A
This regulation, 40 CFR 61 Subpart A, lists the applicable general provisions for a facility subject to a National Emissions Standard for Hazardous Air Pollutants.

40 CFR Part 61, Subpart M
This is the National Emission Standard for Asbestos and it includes provisions for handling and disposing of asbestos.

40 CFR Part 63, Subpart ZZZZ
Subpart ZZZZ applies to reciprocating internal combustion engines. Sources subject to Subpart ZZZZ must limit emissions of carbon monoxide and formaldehyde. Sources must also comply with work practice standards and operating limits.

6 NYCRR 201-1.15
The existence of a valid permit shall not be construed as authorizing construction if construction is not commenced within 18 months after the date of permit issuance, if construction is discontinued for a period of 18 months or more, or if construction is not completed within a reasonable time as determined by the department. Up to an 18-month extension may be granted by the department upon a showing of good cause in a written request by the facility owner or operator. The department may suspend, modify or revoke the permit or registration pursuant to Part 621 of this Title if construction or modification has not commenced within 18 months of issuance of such permit or registration, or construction has been discontinued for a period of more than 18 months at any point after issuance of such permit or registration.

6 NYCRR 201-6.4 (f)
This section describes the operational flexibility protocol proposed by the facility. The protocol will allow the facility owner or operator to make certain changes at the facility without the need for a permit

modification. Changes made pursuant to the protocol must be approved by the Department, and will be rolled into the permit during the next renewal or modification.

6 NYCRR 201-6.5 (a)
This section identifies state enforceable requirements for Title V permits.

6 NYCRR 202-2.4 (a) (3)
Once a facility is required to submit annual emission statements electronically, emission statements must be submitted to the department per the specified schedule, in this regulation beginning the reporting year that a Title V permit containing a condition mandating electronic submittal is issued.

6 NYCRR 211.1
This regulation requires that 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.

6 NYCRR 212-1.1 (a) (1)
The provisions of the revised Part 212, effective June 14, 2015, applies to process equipment for a new or modified permit or registration or upon issuance of a renewal for an existing permit or registration.

6 NYCRR 212-1.5 (d)
This provision allows for the department to specify a less restrictive permissible emission rate or degree of air cleaning for the process emission source or emission point than required under Subpart 212-2 in instances where a facility owner or operator can demonstrate to the satisfaction of the department that the facility owner will apply the Best Available Control Technology (BACT) for that criteria air contaminant or the Best Available Control Technology for a toxic air contaminant (T- BACT).

6 NYCRR 212-1.5 (e) (2)
A process emission source subject to the Federal National Emission Standards for Hazardous Air Pollutants (NESHAP) satisfies the requirements of Part 212 for the respective air contaminant regulated by the Federal standard.

However, NESHAPs regulating High Toxicity Air Contaminants (HTACs) must provide evidence that the maximum offsite ambient air concentration is less than the AGC/SGC and that emissions are less than the PB trigger for the respective air contaminant.

6 NYCRR 212-1.6 (a)
This provisions requires that the facility owner or operator not cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source or emission point, except for the emission of uncombined water.

6 NYCRR 212-2.4 (b)
Particulate emissions from any process emission source, which received a B or C Environmental Rating, and for which an application was received by the department after July 1, 1973 are restricted to 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis.

6 NYCRR 212-3.1 (c) (3)
This provision states that owners and/or operators of emission points subject to Part 212-3 must submit a compliance plan to the department by October 20, 1994 or upon startup. The RACT compliance plan for NOx emission points must include technically feasible control strategies to minimize NOx formation and emission control equipment alternatives. These process specific RACT demonstrations that are acceptable to the department will be submitted to the United States Environmental Protection Agency for approval as a revision to the State Implementation Plan by the department.

6 NYCRR 212-3.1 (c) (4) (iii)
This provision states that if owners and/or operators can show to the satisfaction of the department that an emission point cannot achieve an overall removal efficiency of 81 percent or use coatings not exceeding 3.5 pounds VOC per gallon as applied (minus water and excluded VOC) for reasons of technological or economic feasibility, the department may accept a lesser degree of control upon submission of satisfactory evidence that the facility owner or operator will apply reasonably available control technology.

6 NYCRR 212-3.1 (f)
This provision states that owners and/or operators of emission points located at applicable facilities and commence construction after August 15, 1994 must submit a RACT demonstration for nitrogen oxides and VOC emissions with each application for a permit to operate. RACT must be implemented on these emission points when operation commences. A RACT analysis is not required for new emission points with NOx and VOC emission rate potentials less than 3.0 pounds per hour and actual emissions in the absence of control equipment less than 15.0 pounds per day at facilities located outside of the Lower Orange County towns of Blooming Grove, Chester, Highlands, Monroe, Tuxedo, Warwick, and Woodbury and New York City metropolitan area.

6 NYCRR 225-1.2 (c)
This subdivision sets the sulfur-in-fuel limitation for residual oil fired emission sources throughout the State.

6 NYCRR 225-1.2 (d)
This subdivision sets the sulfur-in-fuel limitation for distillate oil fired emission sources throughout the State.

6 NYCRR 225-1.6 (f)
This subdivision requires the submission of excess emission reports when the the sulfur-in-fuel limitation, equivalent emission rate, or measured emissions exceeds the allowable standard.

6 NYCRR 226-1.3
This section lists the general requirements for owners or operators conducting solvent cleaning processes.

6 NYCRR 226-1.4 (a)
This section describes the equipment specifications and control requirements for cold cleaners.

6 NYCRR 226-1.4 (a) (4)
This citation states the requirement to use solvents with a VOC content less than 25 grams per liter.

6 NYCRR 226-1.5 (a)
This subpart describes the operating practices required by an owner or operator conducting solvent cleaning.

6 NYCRR 227-1.3 (a)
This subdivision sets the particulate matter emission standards for subject stationary combustion installations.

6 NYCRR 227-1.3 (c)
This subdivision requires that all stationary combustion installations subject to this subpart perform an annual tune-up.

6 NYCRR 227-1.4 (a)
This subdivisions sets the opacity standard for subject stationary combustion installations.

6 NYCRR 227-1.5 (b) (2)
This paragraph contains the excess emissions and monitoring system reporting requirements for emission sources required to utilize a continuous opacity monitor.

6 NYCRR 227-2.4 (a) (1)
NOx emission limits for very large boilers.

6 NYCRR 227-2.4 (d)
This section includes NOx RACT requirements for small boilers, small combustion turbines, and small stationary internal combustion engines.

6 NYCRR 227-2.4 (e) (2)
Presumptive NOx RACT emission limits for combined cycle combustion turbines.

6 NYCRR 227-2.4 (f) (3)
Presumptive NOx RACT emission limit for distillate oil fired stationary internal combustion engines.

6 NYCRR 227-2.5 (c)
This provision allows the owner or operator to demonstrate that the applicable presumptive RACT emission limit in section 227-2.4 of this Subpart is not economically or technically feasible. Based on this determination the Department is allowed to set a higher emission source specific emission limit.

6 NYCRR 227-2.6
This regulation establishes the compliance testing, monitoring, and reporting requirements for NOx RACT affected stationary combustion installations.

6 NYCRR 229.3 (e) (2) (iv)
This section requires a tank with submerged fill for storage of volatile organic liquids.

6 NYCRR 229.3 (e) (2) (v)
This section requires the tank to be equipped with conservation vents for storage of volatile organic liquids.

6 NYCRR 229.5 (d)
This section requires facilities subject to the requirements under Part 229.3, to maintain a record of the capacity of the volatile organic liquid storage tanks, in gallons, for a period of 5 years.

6 NYCRR 231-10.1
This section contains the general provisions of this Subpart.

6 NYCRR 231-11.2 (b)
This subdivision is referred to as the "Reasonable Possibility" provisions. This citation lists the record keeping requirements for insignificant modifications that are less than 50% of the applicable significant project threshold including excluded emissions as defined in Part 231-4.1(b)(40)(i)(c).

6 NYCRR 231-11.2 (c)
This citation lists the record keeping requirements for insignificant modifications that are greater than 50% of the threshold including excluded emissions as defined in 231-4.1(b)(40)(i)(c) of this Part.

6 NYCRR 231-6.2
This section establishes the requirements for performing a netting analysis.

6 NYCRR 231-8.2
This section establishes the requirements for performing a netting analyses.

6 NYCRR 242-1.4 (b)

This regulation requires that any unit that, on or before December 1, 2008, applies for a enforceable permit condition restricting the supply of the unit's annual electrical output to the electric grid to less than or equal to 10 percent of the annual gross generation of the unit, and that from and after January 1, 2009 complies with the 10 percent restriction and the provisions in Paragraph (b)(3) of this Section, shall be exempt from the requirements of 6 NYCRR Part 242, except for the provisions of this Section, Sections

242-1.2, 242-1.3, and 242-1.6 of this Part.

6 NYCRR 251.3 (a) (1)
Emission limits for new or modified sources.

6 NYCRR Subpart 212-2
This regulation specifies the allowable emissions of air contaminants from process emissions sources.

6 NYCRR Subpart 227-2
This regulation limits the emission of oxides of nitrogen (NOx) from stationary combustion installations (boilers, combustion turbines and internal combustion engines).

Compliance Certification
Summary of monitoring activities at RED-ROCHESTER LLC AT EASTMAN BUSINESS PARK:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring
FACILITY	1-11	intermittent emission testing
U-00015/-/K22	179	record keeping/maintenance procedures
U-00015	139	record keeping/maintenance procedures
FACILITY	1-13	record keeping/maintenance procedures
FACILITY	1-14	record keeping/maintenance procedures
FACILITY	40	monitoring of process or control device parameters as surrogate
FACILITY	42	record keeping/maintenance procedures
FACILITY	43	record keeping/maintenance procedures
FACILITY	44	record keeping/maintenance procedures
U-00008	52	work practice involving specific operations
U-00008	54	record keeping/maintenance procedures
U-00015	142	record keeping/maintenance procedures
U-00015	143	record keeping/maintenance procedures
U-00015	144	record keeping/maintenance procedures
U-00015/-/K14	172	intermittent emission testing
U-00015/-/K14	173	intermittent emission testing
U-00015/-/K14	174	intermittent emission testing
U-00015/-/K14	175	intermittent emission testing
U-00015/-/K14	176	monitoring of process or control device parameters as surrogate
U-00015/-/K07	1-27	record keeping/maintenance procedures
U-00015	147	record keeping/maintenance procedures
U-00015/-/K14	178	record keeping/maintenance procedures
U-00015	150	record keeping/maintenance procedures
U-00015	151	record keeping/maintenance procedures

U-00015	152	record keeping/maintenance procedures
U-00015	153	record keeping/maintenance procedures
U-00015	154	record keeping/maintenance procedures
U-00015	155	record keeping/maintenance procedures
U-00015	156	record keeping/maintenance procedures
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U-00015	158	record keeping/maintenance procedures
U-00015	159	record keeping/maintenance procedures
U-00015	160	record keeping/maintenance procedures
U-00015	161	record keeping/maintenance procedures
U-00015	162	record keeping/maintenance procedures
U-00015	163	record keeping/maintenance procedures
U-00015	164	record keeping/maintenance procedures
U-00015	165	record keeping/maintenance procedures
U-00015	166	record keeping/maintenance procedures
U-00008/-/K02	56	record keeping/maintenance procedures
U-00008/09503	66	record keeping/maintenance procedures
U-00008/09503	67	record keeping/maintenance procedures
U-00008/09503	69	record keeping/maintenance procedures
U-00008/09503	70	record keeping/maintenance procedures
U-00008/09503	72	record keeping/maintenance procedures
U-00008/09503	73	record keeping/maintenance procedures
U-00008/09503	74	record keeping/maintenance procedures
U-00008/09503	75	monitoring of process or control device parameters as surrogate
U-00008/09503	76	monitoring of process or control device parameters as surrogate
U-00008/09503	79	record keeping/maintenance procedures
U-00008/09503	80	record keeping/maintenance procedures
U-00008/09503	81	record keeping/maintenance procedures
U-00008/-/K02	58	record keeping/maintenance procedures
U-00008/09503	88	record keeping/maintenance procedures
U-00008/-/K02	59	record keeping/maintenance procedures
U-00008/09503	89	record keeping/maintenance procedures
U-00008/09503	90	monitoring of process or control device parameters as surrogate
U-00008/09503	91	monitoring of process or control device parameters as surrogate
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U-00008/09503	106	monitoring of process or control device parameters as surrogate
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U-00008/09503	108	monitoring of process or control device parameters as surrogate
U-00008/09503	109	monitoring of process or control device parameters as surrogate
U-00008/09503	110	monitoring of process or control device parameters as surrogate
U-00008/09503	111	monitoring of process or control device parameters as surrogate
U-00008/09503	112	monitoring of process or control device parameters as surrogate
U-00008/-/K02	60	record keeping/maintenance procedures
U-00008/-/K02	61	record keeping/maintenance procedures
U-00008/09503	113	record keeping/maintenance procedures
U-00008/09503	114	monitoring of process or control device parameters as surrogate
U-00008/09503	115	continuous emission monitoring (cem)
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
U-00008	51	record keeping/maintenance procedures
FACILITY	25	record keeping/maintenance procedures
U-00008/R1601/K06	119	monitoring of process or control device parameters as surrogate
U-00008/09503/K02	116	record keeping/maintenance procedures
FACILITY	26	monitoring of process or control device parameters as surrogate
FACILITY	192	record keeping/maintenance procedures
U-00008/09504/K06/095AG	193	monitoring of process or control device parameters as surrogate
U-00008/09508/K06/095AJ	194	monitoring of process or control device parameters as surrogate
U-00008/09503	65	monitoring of process or control device parameters as surrogate
U-00008/R1601/K06	120	monitoring of process or control device parameters as surrogate
U-00008/R1601/K06	121	monitoring of process or control device parameters as surrogate
U-00008/09601/K06/096AA	117	monitoring of process or control device parameters as surrogate
U-00008/09601/K06/096AA	118	record keeping/maintenance procedures
FACILITY	27	work practice involving specific operations
FACILITY	28	work practice involving specific operations
FACILITY	29	record keeping/maintenance procedures
FACILITY	1-2	record keeping/maintenance procedures
FACILITY	31	monitoring of process or control device parameters as surrogate
FACILITY	1-3	monitoring of process or control device parameters as surrogate
FACILITY	34	work practice involving specific operations
U-00015/-/K07	168	record keeping/maintenance procedures
U-00015/-/K23	180	intermittent emission testing
U-00015/-/K07	1-25	record keeping/maintenance procedures
FACILITY	1-4	continuous emission monitoring (cem)
FACILITY	1-5	monitoring of process or control device parameters as surrogate
FACILITY	1-6	monitoring of process or control device parameters as surrogate
E-NGINE	49	record keeping/maintenance procedures
FACILITY	1-7	record keeping/maintenance procedures
FACILITY	1-8	record keeping/maintenance procedures

U-00015	125	record keeping/maintenance procedures
U-00015	126	record keeping/maintenance procedures
FACILITY	35	continuous emission monitoring (cem)
FACILITY	36	continuous emission monitoring (cem)
E-NGINE	50	record keeping/maintenance procedures
U-00015/PGT01	1-28	continuous emission monitoring (cem)
U-00015/PGT01	1-29	continuous emission monitoring (cem)
U-00015/-/K28/321BP	1-26	intermittent emission testing
U-00015/-/K07	169	work practice involving specific operations
U-00015/-/K07	170	intermittent emission testing
FACILITY	1-9	record keeping/maintenance procedures
U-00008/-/K04	62	record keeping/maintenance procedures
U-00015/-/K25	182	record keeping/maintenance procedures
FACILITY	38	record keeping/maintenance procedures
FACILITY	1-10	record keeping/maintenance procedures
U-00015	1-19	monitoring of process or control device parameters as surrogate
U-00015	1-20	monitoring of process or control device parameters as surrogate
U-00015	1-21	monitoring of process or control device parameters as surrogate
U-00015	1-22	monitoring of process or control device parameters as surrogate
U-00015	1-23	monitoring of process or control device parameters as surrogate
U-00015	1-24	monitoring of process or control device parameters as surrogate
U-00015	195	record keeping/maintenance procedures
U-00015/PGT01	1-32	continuous emission monitoring (cem)
U-00015/PGT01	1-33	continuous emission monitoring (cem)

Basis for Monitoring

6 NYCRR Part 201 Permits and Registrations

- **6 NYCRR 201-3.2** – This condition lists the activities at the facility that are exempt from permitting, including the applicable exemption citation. This monitoring condition ensures the facility does not operate unauthorized emissions sources and documents permit-exempt activities.
- **6 NYCRR 201-6** - Monroe County, NY is in attainment with the primary 1-hour sulfur dioxide (SO2) National Ambient Air Quality Standard of 75 ppb, based on the 99th percentile of 1-hour daily maximum concentrations, averaged over three years.
- **6 NYCRR 201-6.4(c)(3)(ii)** - Semi-annual monitoring reports are required under the provisions of 6 NYCRR Part 201-6.4 and 40 CFR 70. Establishes procedures and time frames for prompt notification of permit deviations and incidences of non-compliance.
- **6 NYCRR 201-6.4(e)** - Annual Compliance reports are required under the provisions of 6 NYCRR Part 201-6.4 and 40 CFR 70.
- **6 NYCRR 201-6.4(f)** - This facility-level condition establishes “Operational Flexibility” provisions for facilitating "off permit changes" authorized by the Clean Air Act section 502(b)(10) and 40 CFR 70.2. It allows changes to occur at a facility that are not specifically addressed or prohibited by the permit only after they go through a review protocol outlined in the condition. Any federal or state requirements which apply to the change must already exist in the issued Title V permit. Once the appropriate review is completed, the change may be made without making a formal permit revision or modification.

  Operational flexibility may not be applied to projects that are defined as "major" under New York State Uniform Procedures (6NYCRR Part 621) or any project that would be considered a "significant

permit modification" under 6NYCRR Part 201-6. This prohibition specifically includes modifications under Title I of the Clean Air Act and any change that would exceed the emissions allowable under the permit, whether expressed as a rate or in terms of total emissions. This facility-specific condition specifies the detailed prohibitions and notification requirements associated with "off-permit" changes which are generally described under 6 NYCRR 201-6.4(f)(6).

As the mandatory condition states, "off-permit changes" made pursuant to the Operational Flexibility Plan are not covered by the permit shield described in section 6NYCRR 201-6.6

6 NYCRR Part 202 Emission Statements

- **6 NYCRR 202-2.1** - Annual Emissions Statements are required under the provisions of 6 NYCRR Part 201-2 and 40 CFR 70.

6 NYCRR Part 211 General Prohibitions

- **6 NYCRR 211.2** - This monitoring condition has been included for Emission Unit U-00008 to establish procedures for odor compliant investigation and response at the King's Landing Waste Water Treatment Plant. The condition requires that records be kept of any reported odor problems and subsequent follow-up.

6 NYCRR Part 212 General Process Emission Sources

- 6 NYCRR 212-1.1(a)(1) – The regulation does not specify an explicit periodic monitoring timeframe to ensure on-going compliance with the applicable air cleaning requirements for process emissions under 6 NYCRR 212-2.3 and/or the mass emission limits and persistent and bio accumulative trigger (PB trigger) for high toxicity air contaminants.

  Therefore, a periodic monitoring condition has been included under this citation requiring an annual evaluation of whether any changes have occurred that may have caused an increase in mass emissions or off-site ambient concentrations. The results of this evaluation must be submitted to the Department annually. This monitoring method and frequency are justified because the rule does not specify a monitoring method, the condition requires reevaluation of ambient impacts if an increase in ERP is observed and an increase to ERP is expected to occur only as a result of process changes that must first be approved through operational flexibility or permit modification.

  Additionally, the facility owner or operator must complete a 6 NYCRR Part 212 evaluation and Toxic Impact Assessment (including air modeling) as part of the application for renewal 2 of this Air Title V permit.
- 6 NYCRR 212-1.5(d) – Where it has been demonstrated that it is not feasible to meet the specified control percentage, a Toxic Best Available Control Technology (T-BACT) evaluation has been completed and a condition specifying an alternate limit and record keeping requirements has been included. In the prior permit, a monitoring condition for EP R1601 which limited emissions of dichloromethane (DCM) emissions to 3.5 tons per year to comply with T-BACT requirements was included. Although DCM is a "medium toxicity" air contaminant under DEC Program Policy DAR-1, DCM was considered A-rated due to the quantity of DCM emissions from within Eastman Business Park (EBP) and was required to meet the associated air cleaning requirements under Table 2 to 6 NYCRR 212-2.3(b) or apply T-BACT. Although, the quantity of DCM emissions from EBP have been

significantly reduced and this contaminant may be eligible for re-rating, this emission limit has been retained in this renewal to prevent backsliding.

A monitoring condition has been included requiring monthly calculations of DCM emissions to ensure compliance with the annual limit (on a 12-month rolling basis). Since the control methods, efficiencies, and costs are equivalent or similar for VOC and DCM control, the Department has determined that the most recent EP R1601 VOC RACT evaluation (submitted December 2019) has demonstrated that no additional DCM controls were effective on both a technological and cost basis evaluation. Therefore, the 3.5 ton per year limit in this monitoring condition has not been changed. Please note that this is consistent with the Department's prior reviews where a single evaluation was submitted for both VOC RACT and DCM BACT.

- 6 NYCRR 212-1.5(e)(2) – As allowed by 6 NYCRR 212-1.5(e)(2), emissions of lead from the Multiple Hearth Incinerator (MHI) satisfy the requirements of 6 NYCRR Part 212 by demonstrating compliance with the requirements of the Hazardous Waste Combustor NESHAP rule (40 CFR 63 Subpart EEE), maintaining annual lead emissions below the PB trigger, and demonstrating that off-site concentrations of lead are less than the DAR-1 short-term and annual guideline concentration (AGC and SGC) through a Toxic Impact Assessment. A 6 NYCRR Part 212 Toxic Impact Assessment was submitted in January 2018 demonstrating that off-site concentrations of lead were below the DAR-1 SGC and AGC. Additionally, actual annual lead emissions are less than the applicable PB trigger (x10 the lead mass emission limit in Table 2 of 6 NYCRR 212-2) of 50 pounds/year. A monitoring condition has been included under this citation requiring that the 40 CFR 63, NESHAP Subpart EEE conditions and the annual Part 212 review and reporting condition elsewhere in this permit be met to continue to demonstrate compliance for lead under 6 NYCRR Part 212.
- 6 NYCRR 212-1.6(a) – The regulation of opacity (visible emissions) under 6 NYCRR Part 212 does not specify periodic monitoring. Therefore, the permit must contain periodic monitoring to demonstrate compliance with the 20 percent (%) opacity limit. Generally, 6 NYCRR Part 212 applicable sources that have the potential to emit particulate emissions are subject to this opacity limit. Opacity in excess of 20% may indicate a particulate control problem but there is not always a correlation between mass emissions and opacity. Compliance with the particulate standards themselves are regulated separately under 6 NYCRR Part 212 and other Federal standards.

  For larger particulate emission sources where opacity has historically been a more common problem, opacity monitoring devices may be required either by regulation or through the permit. In this case, the permit condition would require on-going or continuous compliance demonstration through the direct measurement of opacity in the stack. Opacity monitors for some of the facility combustion sources are required under 6 NYCRR Part 227 citations elsewhere in this permit.

  Emission Unit U-00008 includes particulate sources subject to opacity monitoring requirements under this citation. This does not warrant continuous opacity monitors. With particulate control requirements in place (or the limited uncontrolled potential emissions) Emission Unit U-00008 is not anticipated to have excessive opacity. To demonstrate compliance the permit requires a visible emissions observation on a semi-annual frequency. The permit condition also requires that any instance where there is cause to believe that visible emissions have the potential to exceed the standard must be investigated and followed-up with EPA Method 9 assessment if not corrected within one operating day. If there is still a doubt as to whether the standard is being met, the Department may conduct, or require, a Method 9 assessment for compliance at any time.

- 6 NYCRR 212-2.3(b) – For permit streamlining, the 0.015 grain/dscf particulate limit (corrected to 7 percent oxygen) for the Multiple Hearth Incinerator (EU U-00008) has been removed with this permit renewal since this source is subject to a more stringent 0.013 grain/dscf particulate limit (corrected to 7 percent oxygen) under 40 CFR 63, Subpart EEE. By demonstrating compliance with the Subpart EEE replacement particulate limit for hazardous waste incinerators and the associated monitoring conditions specified in this permit, the facility has demonstrated compliance with the requirements of Part 212 for emissions of particulates from this source that have been assigned an A-rating. Please note that the above 0.015 grain/dscf limit for A-rated particulates was assigned at the discretion of the Department under 6 NYCRR 212.4(b).
- 6 NYCRR 212-2.4(b) – Limits emissions of particulates to 0.050 grains per dry standard cubic foot of exhaust from processes emission sources. This citation does not specify periodic monitoring and therefore the permit must contain periodic monitoring to demonstrate compliance.

  Permit conditions have been included under this citation requiring surrogate monitoring of control equipment and/or process parameters, periodic maintenance, and record keeping to demonstrate compliance with the particulate emissions standard. Two conditions for the dust collectors under Emission Unit U-00008 associated with the MHI specify monitoring of pressure drop across a particulate filter (baghouse, HEPA filter,etc.) Maintaining the pressure drop within the proper range specified by the manufacturer or demonstrated through operating experience is a common monitoring method used to ensure that the filter is intact and providing the collection efficiency as designed. If compliance with the standard must be explicitly verified, the Department may require a particulate stack test at any time.
- 6 NYCRR 212-3.1(c)(4)(iii) – Under this citation, two permit conditions are included under EU U-00008 for the Kings Landing Scrubber system to establish RACT (Reasonably Available Control Technology) limits for volatile organic compounds (VOCs). The scrubber system, vented to EP R1601, was designed to control odors from the trickling filters, sludge holding tanks and centrifuge- and not primarily for VOC control. To maximize effectiveness on VOCs, a condition requires that the blowdown rate be maintained above a set rate. Data must be collected by a reliable control system. Also, based on the most recent RACT evaluation (submitted December 2019) which concluded that no additional VOC controls were effective on both a technological and cost basis, a 9.0 tons per year VOC limit is established. This permit conditions requires record keeping to demonstrate compliance with the limit on a 12-month rolling basis and periodic reevaluation of RACT every five years. The method of calculating VOC emissions from the trickling filter scrubber is based on the Kings Landing influent sampling data and is described in the permit condition.
- 6 NYCRR 212-3.1(f) – Emissions from the Kings Landing Grit Chamber (ES 096AA) are controlled by a carbon adsorption system (Control Device 09601) to meet the requirements of VOC RACT (Reasonably Available Control Technology). Two conditions are included in the permit (EU U-00008, Process K06) under this citation which specify monitoring and work practice procedures to ensure that optimal VOC control is achieved. An alternative monitoring method has been approved for this carbon absorption control system on the Grit Chamber as allowed by 6 NYCRR 212-1.7. Rather than installing a continuous monitoring system to measure the concentration of volatile organic compounds at the outlet of the control system, a regular interval for changing the carbon has been established based on extensive emissions monitoring done at the time the system was installed. For additional protection against potential break-through of contaminants, two carbon canisters are used in series such that one is always providing back-up control. In addition, the facility is required to maintain the inlet air flow within an acceptable range to operate the carbon control system. The Department approved this alternative monitoring method because it provides equal, if not better, protection than an outlet monitor prescribed in the regulation.

  The system must be comprised of two carbon beds arranged in series such that one bed serves as the

primary control with the other serving as a backup at any given time. Based on the contaminant loading, influent wastewater flow, and an engineering analysis dated January 12, 2018 the carbon beds shall be changed at a minimum of three times per calendar year at a frequency not to exceed 124 days, excluding time periods when the Grit Chamber is not in operation. Because the of decreasing inlet wastewater loading to Kings Landing, the facility may re-evaluate the frequency of changing the carbon bed as part of the application for Renewal 2 of this Air Title V permit.

Identical monitoring conditions were included in the prior permit for monitoring the carbon bed airflow and changeout frequency. For the air flow monitoring, one condition was included for meeting VOC RACT under 6 NCYRR 212-3 and another for meeting the air cleaning requirements under Table 2 to 6 NYCRR 212-2. Similarly, for the changeout frequency, one condition was included for meeting VOC RACT and another for meeting T-BACT requirements under 6 NYCRR 212-1.5(d). For permit streamlining, only the monitoring conditions under this citation have been retained in this renewal which satisfies the above requirements.

Note that the carbon beds were originally installed as part of an Order on Consent for odor control. VOC emission rate potentials from the grit chamber do not exceed the rate thresholds in 6 NYCRR 212-3 that would require installation of RACT.

6 NYCRR Part 225 Sulfur in Fuel

- 6 NYCRR 225-1.2 – Following shutdown of coal burning operations, the facility no longer uses a fuel/sulfur analysis plan or an equivalent sulfur limit. Therefore, associated conditions and requirements have been removed from this permit as part of this renewal.
- 6 NYCRR 225-1.2(c) – A condition under this citation states the 0.5% sulfur by weight limit for residual oil (e.g., No. 6 fuel oil) burned in facility combustion sources. Compliance will be demonstrated using vendor certifications per delivery per 6 NYCRR 225-1.5(d).
- 6 NYCRR 225-1.2(d) – A condition under this citation states the 0.0015% sulfur by weight limit for distillate oils, including No.2 fuel oil, burned in facility combustion sources. Compliance will be demonstrated using vendor certifications per delivery per 6 NYCRR 225-1.5(d).
- 6 NYCRR 225-1.6(f) – Requires the submission of quarterly reports documenting the exceedance of the applicable fuel sulfur content standards under 6 NYCRR Part 225 for each calendar quarter in which an exceedance takes place.

6 NYCRR Part 226 Solvent Cleaning Processes

- 6 NYCRR 226-1.3 – Specifies the work practice and maintenance requirements for solvent cleaning processes. The monitoring requirements are consistent with the regulation.
- 6 NYCRR 226-1.4(a) – Specifies the minimum freeboard ratio for subject cold cleaning degreasers. A condition has been included requiring semi-annual monitoring and reporting that the cold cleaning degreasers meet this requirement. This monitoring frequency is justified since this parameter is part of the equipment design and unlikely to change.
- 6 NYCRR 226-1.4(a) – Specifies the control, operating, and VOC content requirements for subject solvent cleaning machines. Compliance must be verified using data sheets for the solvent used for each delivery. The alternative 1.0 mmHg vapor pressure standard (valid until December 1, 2020) is also included under this citation.
- 6 NYCRR 226-1.5(a) – Specifies the minimum drainage time work practice requirement for cold cleaning degreasing. A monitoring condition is included requiring monitoring and compliance with this requirement each time a cold cleaning degreaser is operated.

6 NYCRR Part 227 Stationary Combustion Installations

- 6 NYCRR 227-1.2(a)(1) – Boilers greater than 250 MMBtu/hr in size which burn oil (Package Boilers 1-4, Boiler 44, and Boiler 45) are subject to a particulate limit of 0.10 lbs/MMBtu. Boilers 44 and 45 burn oil as a start-up/back-up fuel amounting to a small percentage of their overall operating

time and require stack testing at the Department's request to demonstrate compliance with the particulate emission limit. The condition for the Package Boilers require annual tune-ups to assure best operation of each boiler. Monitoring conditions have been included in this permit to establish the 0.010 lbs/MMBtu limit and testing requirements for each of these boilers except for Boiler 44, which is instead subject to a more stringent particulate limit of 0.035 lbs/MMBtu. Initial compliance with the 6 NYCRR 227-1 particulate limit for Boiler 45 was demonstrated through an initial performance test conducted in July 2018. The more stringent limit for Boiler 44 was established under Prevention of Significant Deterioration (PSD) review at the time of the initial construction (around 1986) and is included in the permit under 40 CFR 52.21.

- 6 NYCRR 227-1.4(a) – Conditions are included to requiring monitoring of opacity from sources which may emit visible emissions. For very large (> 250 MMBtu/hr) combustion sources that burn oil (i.e., Package Boilers 1-4, Boiler 44, and Boiler 45, continuous opacity monitors (COMs) must be used to demonstrate continuous compliance with the opacity standards. Pursuant to 6 NYCRR 227-1.4(c) and specified in a condition elsewhere in this permit, since the four Package Boilers emit through a common stack and their combined heat input exceeds 250 MMBtu/hr, they are subject to the opacity monitoring requirements for very large boilers. For smaller combustion sources and larger natural gas-fired installations (i.e., stationary combustion engines under E-NGINE, the combustion turbine and duct burner, and Boilers 46-48), COMs are not required. Minimal or no visible emissions are expected from natural gas fired sources. For sources not required to install COMS, compliance will be demonstrated through annual Method 9 tests and must investigate all instances where there is cause to believe the opacity limit has been exceeded. Boilers combusting fuels other than natural gas only will be required to make daily stack observations when not burning gas.
- 6 NYCRR 227-1.4(b) – Where a continuous opacity monitor is used to demonstrate compliance with the opacity standard, an excess emission report is required on a quarterly basis. A monitoring condition is included here to specify the content of that quarterly report consistent with the regulation. In addition to the information specified by the rule, this monitoring condition requests additional details regarding the circumstances of any excess emissions if they are related to startup, shutdown, or malfunction conditions and an indication of whether the Department was notified in these cases.
- 6 NYCRR 227-2.4(a)(1) – This requirement specifies the presumptive NOx RACT emission limits for very large boilers.

  For very large gas/oil-fired boilers (i.e., Boiler 44 and Boiler 45) a monitoring condition has been included with the NOx emission limit and requiring operation of a Continuous Emission Monitoring (CEM) system (or equivalent) to verify compliance in accordance with regulatory requirements. The presumptive NOx RACT is 0.15 lbs/MMBtu. Note that the RACT variance for Boiler 44 in the prior permit has been removed as part of this Renewal following completion of the powerhouse conversion project.

  For very large gas-fired boilers (i.e., Boilers 46, 47, and 48) a monitoring condition has been included with the NOx emission limit and requiring operation of a Continuous Emission Monitoring (CEM) system (or equivalent) to verify compliance in accordance with regulatory requirements. The presumptive NOx RACT is 0.08 lbs/MMBtu. However, a lower limit of 0.05 lbs/MMBtu was used in the New Source Review (NSR) netting analysis during initial permitting of these sources and therefore 0.05 lbs/MMBtu is listed as the limit in the monitoring condition.
- 6 NYCRR 227-2.4(e)(2) – Establishes the NOx emission limit for the Combustion Turbine and Duct Burner which exhaust through a combined stack (PGT01). The Duct Burner cannot be operated separately from the Combustion Turbine.

  Two monitoring conditions with NOx emission limits are included for these sources based on the case-by-case RACT determination dependent on the process scenario under which the Turbine and Duct

Burner are operated. These conditions require operation of a NOx CEMS to demonstrate continuous compliance with the NOx emissions limits.

Operation of the Turbine on natural gas only is represented by process K21 and limits NOx to 0.055 lbs/MMBtu. Operation of the Turbine (process K21) in conjunction with the Duct Burner (process K22) limits NOx emissions to 0.070 lbs/MMBtu. These limits are more stringent than either 40 CFR 60 Subpart Db limit for the Duct Burner alone, or the 40 CFR Subpart GG limit for the Turbine.

Prior permits included a third limit for the operation of the Combustion Turbine on No. 2 fuel oil. As noted above, the Combustion Turbine purchased by the facility is only capable of firing natural gas. Therefore, as part of the Ren 1, Mod 1 minor modification, the RACT limit for the turbine while firing fuel oil has been removed from the permit to reflect this change.

Additionally, in response to a request by the Department on May 10, 2022, a case-by-case NOx RACT analysis for the Combustion Turbine and Duct Burner was submitted by the facility owner or operator on November 29, 2022 to evaluate whether the above limits are still considered RACT. Based on this analysis, the existing permit limits for the Combustion Turbine and Duct Burner are still considered RACT. Additionally, Selective Catalytic Reduction (SCR) was demonstrated to be economically infeasible. However, compliance with these limits will be met through the use of dry low-NOx burners on the Combustion Turbine. This analysis has been reviewed and approved by the Department via a letter on March 29, 2023.

Please note that prior permits assumed the use of SCR to meet the above RACT limits. Therefore, to reflect the analysis discussed above, the Ren 1, Mod 1 minor modification changes the listed controls from SCR to dry low-NOx burners. No change to the RACT limits have been made as part of this modification.

- 6 NYCRR 227-2.4(d) – Specifies NOx RACT requirements for small combustion sources. A monitoring condition is included for the small internal combustion engines requiring an annual tune-up consistent with regulatory requirements.
- 6 NYCRR 227-2.4(f)(3) – Specifies the presumptive NOx RACT limit for internal combustion engines fired with distillate oil. As noted elsewhere, the starter engine is subject to 40 CFR 60, Subpart IIII and is required to meet EPA's Tier 4f standards. The Tier 4f NOx standard is 0.40 g/kW-hour and is complied with by purchasing a certified engine.

  Although the Tier 4f standard is more stringent than the presumptive RACT limit (2.3 g/bhp-hour = 3.1 g/kW-hour), the compliance demonstration for the RACT limit (periodic testing) is more stringent than Subpart IIII. Therefore, to continue to meet the Subpart 227-2 NOx RACT periodic testing requirement, a monitoring condition is included for the RACT limit for the starter engine.
- 6 NYCRR 227-2.5(c) – Specifies the source-specific NOx RACT limit the four Package Boilers (ES 03AAC, 031AD, 031AE, and 031AF). The NOx RACT variance is based on an analysis (last revised August 15, 2016) which demonstrated that meeting the presumptive RACT limit was not economically feasible. To demonstrate compliance with this limit, a monitoring condition for has been included under this citation that limits the burning of residual oil in each boiler to 200,000 gallons per year, calculated as a 12-month rolling average. By complying with the recordkeeping requirements of this condition, the facility is also satisfying the 40 CFR Subpart DDDDD limited use boiler 10% annual capacity recordkeeping requirement for the Package Boilers.
- 6 NYCRR 227-2.6 – Specifies the requirements for NOx CEMS or equivalent approved monitoring systems used to demonstrate compliance with the NOx limits under 6 NYCRR 227-2. A monitoring condition has been included with the requirements for initial certification, quarterly reporting, performance audits, downtime, excess emissions reporting, and monitoring. This monitoring is

consistent with the regulation. For permit streamlining the CEMS and PEMS certification requirements under 6 NYCRR 227-2.6(b) have been included in this condition.

6 NYCRR Part 229 Petroleum and Volatile Organic Liquid Storage and Transfers

- 6 NYCRR 229.5(d) – A monitoring condition has been included for this citation requiring the facility to maintain records of each subject volatile organic liquid storage tank and verify these records annually.

6 NYCRR Part 231 New Source Review for New and Modified Facilities

- 6 NYCRR 231-6.2 – This regulation specifies requirements for avoiding a New Source Review (NSR) major modification where the proposed modification exceeds the significant project threshold(s) but does not result in a significant net emission increase.

  Two monitoring conditions are included to limit NOx and VOC emissions in accordance with the Nonattainment New Source Review (NNSR) netting analysis for the powerhouse conversion project (Renewal 0, Mod 1 of the Air Title V permit). To avoid a New Source Review (NSR) major modification to an existing major facility located in the Ozone Transport Region under 6 NYCRR Subpart 231-6, where the proposed modification exceeded the significant project threshold, the facility used emission reduction credits (ERCs) in accordance with the requirements under this section of the rule to limit the net emission increase below the thresholds. These monitoring conditions are retained from the prior permit to continue to limit net NOx and VOC emissions below the 6 NYCRR Part 231 significance thresholds.

  Final Scenario ERC's used: NOx 559.6 tpy, VOC 5.0 tpy

  On-going compliance with these limits is demonstrated through completing monthly emissions (12-month rolling basis) calculations based on fuel usage data and emission factors determined via performance testing or CEMS data. Performance testing to reestablish emission factors must be completed during the permit term to ensure accurate emissions monitoring.

  A third monitoring condition is included under this citation for NOx that limits combustion of No. 2 fuel oil in the Turbine (ES 321BA) in accordance with the Nonattainment New Source Review (NNSR) netting analysis for the powerhouse conversion project (Renewal 0, Mod 1 of the Air Title V permit). This monitoring condition is retained from the prior permit to continue to limit net NOx emissions below the 6 NYCRR Part 231 significance thresholds. On-going compliance with this limit is met through monthly fuel use monitoring and recordkeeping.

  As part of the Ren1, Mod 1 minor modification, the monitoring conditions under this citation have been revised to include emissions from the starter engine. No change to the limit or prior monitoring methods have been made as part of this change.

  Prior permits contained an additional monitoring condition for NOx under this citation which established an annual limit for fuel oil usage in the Combustion Turbine. As noted above, the Combustion Turbine purchased by the facility is only capable of firing natural gas. Therefore, as part of the Ren 1, Mod 1 minor medication, this limit has been removed from the permit as the facility no longer has the capability/authorization to fire fuel oil in the turbine.

- 6 NYCRR 231-8.2 – This regulation specifies requirements for avoiding a New Source Review (NSR) major modification where the proposed modification exceeds the significant project threshold(s) but does not result in a significant net emission increase.

Four monitoring conditions are included to limit CO, Particulate, PM-10, and PM-2.5 emissions in accordance with the Prevention of Significant Deterioration (PSD) netting analysis for the powerhouse conversion project (Renewal 0, Mod 1 of the Air Title V permit).

For Particulates, PM-10, and PM-2.5, to avoid a NSR major modification to an existing major facility located in attainment areas under 6 NYCRR Subpart 231-8, where the proposed modification exceeded the significant project threshold, the facility used ERCs in accordance with the requirements under this section of the rule to limit the net emission increase below the thresholds.

Final Scenario ERC's used: Particulates 187.5 tpy, PM-10 203.1 tpy, PM-2.5 215.7

For CO, the projected emissions from the powerhouse conversion project would have exceed the 100 tpy significant project threshold. Therefore, CO ERCs were utilized but CO emissions are required to be limited such that the net emission increase remains below the threshold. A monitoring condition has been included to establish this limit and the associated record keeping for CO. The use of an optional oxidation catalyst on the Turbine and Duct Burner to assure compliance with the CO limits is allowed and identified in the permit. Prior written notice and approval from the Department will be needed for the installation of the oxidation catalysts. The CO limit are the sum of the Significance Threshold - 1 ton (99 ton allowable increase), the ERCs, and the Modified Source Projected Actual, as shown below:

Final Scenario CO Cap: 108.6 tons ERCs + 42.3 tpy Potential Actual Emissions of modified Boiler 44 + 99 tpy allowable increase = 250.0 tpy

These monitoring conditions are retained from the prior permit. On-going compliance with these limits is demonstrated through completing monthly emissions (12-month rolling basis) calculations based on fuel usage data and emission factors determined via performance testing or CEMS data. Performance testing to reestablish emission factors must be completed during the permit term to ensure accurate emissions monitoring.

As part of the Ren1, Mod 1 minor modification, the monitoring conditions under this citation have been revised to include emissions from the starter engine. No change to the limit or prior monitoring methods have been made as part of this change.

- 6 NYCRR 231-10.1 - As part of the powerhouse conversion project (Renewal 0, Mod 1 of the facility Air Title V permit), ERCs were established in the permit based on the shutdown of Boiler 41 (ES 321AG) in December 2013, the shutdown of Boiler 42 (ES321AH) in March 2018 and Boiler 43 (ES 321AI) in March 2018. These ERC quantities are documented on the ERC Quantification Forms an Use of ERC Forms in Attachment A of the Renewal 0, Mod 1 permit application (Revised September 20, 2016). The quantities of ERCs used for the netting project are shown below. The PEP for each contaminant is based on maximized operation of the sources while maintaining a level necessary to meet the CO cap.

  Final Scenario - ERCs resulting from shut downs in March 2018:
  NOx: = 567.6 tpy
  PM: = 870.6 tpy
  PM10: = 719.2 tpy
  PM2.5: = 570.7 tpy
  VOC: = 18.1 tpy
  CO: = 108.6 tpy

  Final Scenario - ERCs used to offset potential emission increases:

NOx: = 559.6 tpy
PM: = 187.5 tpy
PM10: = 203.1 tpy
PM2.5: = 215.7 tpy
VOC: = 5.0 tpy
CO: = 108.6 tpy

Note that for greenhouse gases (GHGs), no further New Source Review/Prevention of Significant Deterioration requirements applied since there is no other pollutant triggering the thresholds. This determination is based on the Supreme Court ruling on Utility Air Regulatory Group vs. EPA and is supported by the Department's enforcement discretion memo on this subject.

- 6 NYCRR 231-11.2(c) – Prior permits erroneously excluded this requirement for the Powerhouse Conversion Project (ATV Ren 0, Mod 1) and has been added as part of this modification. Please note this condition does not apply to the current modification.

6 NYCRR Part 242 CO2 Budget Trading Program

- 6 NYCRR 242-1.4(b) – To maintain the exempt status under the proposed RGGI rule for CO2 emissions, a monitoring condition has been included under this citation to restrict electric output to the electric grid to 10% of the annual gross generation of the boiler. Compliance will be demonstrated through monitoring of gross electrical generation and gross generation supplied to the grid and annual reporting.

6 NYCRR Part 249 Best Available Retrofit Technology

- Potentially eligible Best Available Retrofit Technology (BART) units at the King's Landing WWTP (EP 09503 and EP 09508) meet the exemption requirements under 6 NYCRR 249.1(c)(3), as documented in a response letter from Robert Sliwinski, NYSDEC to Michael Zapkin, Kodak (Subject BART Eligibility Analysis for Eastman Kodak Company Small Emission Sources at Eastman Business Park) dated September 2010.

6 NYCRR Part 251 CO2 Performance Standards for Major Electric Generating Facilities

- 6 NYCRR 251.2(a)(2) – Per the definition under 251.1, the facility qualifies as an existing major electric generating facility since it sells power to the grid and has a generating capacity of at least 25MW. The installation of the natural gas-fired combustion turbine (ES 321BA) constitutes an increase in capacity of at least 25 MW after July 12, 2012, and therefore, is subject to the requirements of 251.3(a) per this citation. Please note that the combustion turbine was subject to this rule at the time of initial permitting (Ren 0, Mod 1) but the applicable requirements were erroneously excluded from prior permits - these requirements have been added as part of this minor modification to correct this omission.

  As noted under this provision, only those emissions sources which increase the facility's capacity are subject to 251.3(a). Conversion of the existing Boiler 44 from coal-fired to natural gas-fired (with fuel oil backup) did not increase the electric generating capacity of the boiler and is not subject to the limits under 6 NYCRR 251.3(a). Additionally, per the monitoring condition under 6 NYCRR Part 242, facility electric output to the grid is limited to 10% of annual gross generation. Therefore, Boiler 44 is a non-modified existing source which provides less than 10% of their annual electric output to the electric grid and per 6 NYCRR 251.2(b) is not subject to the limits under 6 NYCRR 251.3(b).

- 6 NYCRR 251.3(a)(1) – Specificizes the CO2 emission limits for new sources and modified existing sources. Two monitoring conditions are included for the natural gas-fired combustion turbine (ES 321BA): one for the output-based limit and one for the input-based limit. The facility owner or operator may comply with this provision through meeting either limit. Associated monitoring methods, reporting, and recordkeeping requirements from 6 NYCRR 251.5 and 251.6 are included in each condition.
- 6 NYCRR 251.5 – Monitoring requirements for complying with the limits in this Part are included in the monitoring conditions under 6 NYCRR 251.3(a)(1). Additionally, CEMS operation and maintenance requirements for the combustion turbine (ES 321BA) are included under 6 NYCRR 227-2.6 and by maintaining any CEMS in accordance with those requirements (and appropriate Performance Specifications), meet the CEMS maintenance requirements under this section. Therefore, no conditions are included for this Section for the installation and certification of the CEMS required under this Part.

6 NYCRR 251.6 – Recordkeeping and reporting requirements for this Part are included in the monitoring conditions under 6 NYCRR 251.3(a)(1). Therefore, no conditions are included for this Section.

40 CFR 52-A.21 Prevention of Significant Deterioration

- 40 CFR 52.21, Subpart A – Specifies a PSD limit for particulate emissions for Boiler 44 which dates back to the initial permitting of Boiler 44 around 1986. A monitoring condition is included under this citation limiting particulate emissions from Boiler 44 to 0.035 lbs/MMBtu while firing No.2 fuel oil. This limit is more stringent than the applicable limits under 40 CFR 60, Subpart D (60.42(a)(1)) or 6 NYCRR 227-1.2(a)(3). Following the shutdown of coal burning operations in Boiler 44 and the removal of the associated dry electrostatic precipitator (ES 32103), this limit is met through uncontrolled operation. Initial compliance with this limit was demonstrated through performance testing conducted in July 2018.

  Since Boiler 44 no longer uses add-on control, Compliance Assurance Monitoring (CAM) provisions no longer apply and the CAM breaching opacity monitoring condition for Boiler 44 has been removed from the permit. Compliance with this limit will be demonstrated through performance testing once per permit term. This monitoring method and frequency are justified since Boiler 44 only fires No. 2 fuel oil as backup.

40 CFR 60, Subpart A NSPS General Provisions

- 40 CFR 60, Subpart A – Specifies the general requirements for monitoring, recordkeeping, and reporting for operations subject to Federal New Source Performance Standards (NSPS).

40 CFR 60, Subpart D NSPS for Fossil Fuel-Fired Steam Generators

- 40 CFR 60.42 – Based on the conversion of Boiler 44 to a gas/oil-fired unit and removal of the associated dry electrostatic precipitator (ES 32103), Boiler 44 is now exempt from the particulate and opacity limits in Subpart D in accordance with 40 CFR 60.42(e).
- 40 CFR 60.43 – Boiler 44 is subject to the SO2 limits under 40 CFR 60-D.43(a)(1). However, the limits under 6 NYCRR Part 225 are more stringent. Therefore, for permit streamlining, this citation has been excluded from the permit. The more stringent limit is found under 6 NYCRR 225-1.2(a) and (f) elsewhere in this permit.
- 40 CFR 60.44 – Boiler 44 is subject to the NOx limits under 40 CFR 60-D.44(a)(1) and (2). However, the limits and CEMS requirements under 6 NYCRR Subpart 227-2 are more stringent. Therefore, for permit streamlining, this citation has been excluded from the permit. The more stringent limits are found under 6 NYCRR 227-2.4(a)(1).

- 40 CFR 60.45 – Per 40 CFR 60.45(a), Boiler 44 is required to install and operate a NOx CEMS for monitoring of NOx emissions. However, Boiler 44 already operates a NOx CEMS to demonstrate compliance with more stringent NOx emission limits under 6 NYCRR 227-2.4(a)(1). Therefore, for permit streamlining, this citation has been excluded from the permit. The CEMS installation and operating requirements are included in conditions elsewhere in this permit under 6 NYCRR 227-2.4(a)(1) and 6 NYCRR 227-2.6. Based on the conversion of Boiler 44 to a gas/oil-fired unit and removal of the associated dry electrostatic precipitator (ES 32103), Boiler 44 is now exempt from COMS and SO2 CEMS requirements in Subpart D in accordance with 40 CFR 60.45(b)(1).
- 40 CFR 60.46 – Specifies the use of EPA approved test methods and procedures for Subpart D sources. The use of EPA test methods is required to demonstrate compliance with applicable requirements under 6 NYCRR Part 227. Therefore, for permit streamlining this citation has been excluded from the permit.

40 CFR 60, Subpart Db NSPS for Industrial-Commercial-Institutional Steam Generating Units

- 40 CFR 60.42b(k)(2) – Specifies SO2 standards for subject steam generating units. Units firing only very low sulfur oil that contains no more than 0.3 weight percent sulfur, gaseous fuel, or a mixture of these fuels with a potential SO2 emission rate less than 0.32 lbs/MMBtu are exempt from the SO2 emission limits under 40 CFR 60.42b(k)(1). Based on EPA's AP-42 emission factors, the equipment meets the exemption as follows:
  Duct Burner: 0.001 lbs SO2/MMBtu
  Boilers 45, 46, 47, and 48 burning natural gas: 0.001 lbs SO2/MMBtu
  New MP boilers burning distillate oil: 0.002 lbs SO2/MMBtu

  To demonstrate compliance, the facility owner or operator must only fire natural gas and/or demonstrate that the oil burned in the affected units meets the definition of very low sulfur fuel oil by maintaining fuel receipts in accordance with the recordkeeping requirements of paragraph 60.49b(r)(1). The facility and the sources subject to this requirement are subject to more stringent fuel sulfur content limits for distillate oils under 6 NYCRR 225-1.2(d). Therefore, for permit streamlining, this citation has been excluded from the permit and the monitoring and recordkeeping requirements of 40 CFR 60.42b(k)(2) are met by complying with the 6 NYCRR Part 225 monitoring condition elsewhere in this permit.
- 40 CFR 60.43b(f) – Boiler 45 is subject to the opacity limits under 40 CFR 60-D.43b(f) while firing No. 2 fuel oil. However, Boiler 45 is also subject to an equivalent limit under 6 NYCRR 227-1.3(a) and demonstrates compliance with this limit using a COMS. Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 60.43b(h)(5) – Boiler 45 is exempt from the particulate standards of 40 CFR 60-Db.43b(h)(1) for oil-fired units since Boiler 45 burns only oil containing no more than 0.30 weight percent sulfur. Boiler 45 is prohibited from firing fuel oil that does not meet the more stringent sulfur limits under 6 NYCRR 225-1.2(d). Therefore, for permit streamlining, this citation has been excluded from the permit. The monitoring and recordkeeping requirements of 40 CFR 60.43b(h)(5) are met by complying with the 6 NYCRR Part 225 monitoring condition.
- 40 CFR 60.44b(a)(1) - Boilers 46, 47, and 48 (ES 321BL, 321BM, and 321BN) are subject to the 0.20 lbs/MMBtu NOx limit for high heat release natural gas and oil -fired units under 40 CFR 60.44b(a)(1). However, the 0.08 lbs/MMBtu NOx limit under 6 NYCRR Subpart 227-2 is more stringent. Therefore, for permit streamlining, this citation has been excluded from the permit. The more stringent limits are found under 6 NYCRR 227-2.4(a)(1).

- 40 CFR 60.44b(a)(4) – The Duct Burner (ES 321BE) is subject to the 0.20 lbs/MMBtu NOx limit for natural gas-fired duct burners under 40 CFR 60.44b(a)(4). However, the 0.02 lbs/MMBtu NOx limit for the combined Turbine and Duct Burner under 6 NYCRR Subpart 227-2 is more stringent. Therefore, for permit streamlining, this citation has been excluded from the permit. The more stringent limits are found under 6 NYCRR 227-2.4(e).
- 40 CFR 60.44b(l)(1) - Boilers 45 (ES 321BK firing oil or gas), 46, 47, and 48 (ES 321BL, 321BM, and 321BN) are subject to the 0.20 lbs/MMBtu NOx limit for high heat release natural gas and oil - fired units under 40 CFR 60.44b(l)(1). However, the 0.08 lbs/MMBtu NOx limit under 6 NYCRR Subpart 227-2 is more stringent. Therefore, for permit streamlining, this citation has been excluded from the permit. The more stringent limits are found under 6 NYCRR 227-2.4(a)(1).
- 40 CFR 46b(f) – Specifies the initial performance test requirements to demonstrate compliance with the 0.20 lbs/MMBtu NOx limits for the Duct Burner. It is not technically possible to monitor emissions from the duct burner exclusively as the operation is in conjunction with the turbine with combined emissions to a common stack. Since the combined Turbine/Duct Buner are also subject to a 0.02 lbs/MMBtu NOx RACT limit under 6 NYCRR 227-2 and must install a NOx CEMs to demonstrate compliance with this more stringent limit for the Turbine/Duct Burner, the facility will opt, as allowed under paragraph (2) of this subdivision, to demonstrate compliance using the stack CEMS. This approach for a one-time compliance demonstration with the Subpart Db NOx limit, was discussed with EPA staff during several phone conversations and documented in a letter from RED Rochester, LLC to EPA, dated May 29, 2015. A monitoring condition has been included with this compliance demonstration approach.
- 40 CFR 60.48b(a) – Specifies particulate and opacity monitoring requirements for Boiler 45 (ES 321BK). Boiler 45 operates a COMs to demonstrate compliance with the opacity monitoring requirements under 6 NYCRR 227-1.3(a) which is equivalent to or more stringent than the monitoring requirements of 40 CFR 60, Subpart Db. Note that Boiler 45 meets the exemption from installing COMs under 40 CFR 60.48b(j)(2). Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 60.48b(b-e) – Specifies the NOx monitoring requirements for units subject to NOx standards under 40 CFR 60.44b. Under this citation, Boiler 45 (ES 321BK) is required to install a NOx CEMs to demonstrate compliance. However, Boiler 45 uses a NOx CEMs to demonstrate compliance with the more stringent opacity monitoring requirements under 6 NYCRR 227-2.4(a)(1) which is equivalent to or more stringent than the monitoring requirements of 40 CFR 60, Subpart Db. Therefore, for permit streamlining, these citations have been excluded from the permit.
- 40 CFR 60.48b(h) – According to this provision the Duct Burner is exempt from installation and operation of a NOx CEMs. However, a NOx CEMs is required for the Turbine/Duct Burner to demonstrate compliance with the NOx monitoring requirements under 6 NYCRR 227-2.4(e). Therefore, for permit streamlining, these citations have been excluded from the permit.
- 40 CFR 60.48b(j) – Specifies exemption from particulate limits and requirement to install COMS based on fuel sulfur content. This is exemption is met through complying with the recordkeeping requirement under 6 NYCRR 225-1.5. Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 60.49b(a) – The initial notification requirements were satisfied via submission of a permit application for a major modification (Renewal 0, Mod 1) on January 13, 2015. Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 60.49b(b) - Specifies the NOx CEMS certification and monitoring requirements. Boiler 45 and the Duct Burner meet this requirement by meeting the equivalent or more stringent requirements

under 6 NYCRR 227-2.6. Therefore, for permit streamlining, this citation has been excluded from the permit.

- 40 CFR 60.49b(d) - Specifies fuel use and annual capacity recordkeeping requirements. A monitoring condition has been included requiring daily monitoring of fuel use. This monitoring is consistent with the frequency specified in the regulation under 40 CFR 60.49b(d).
- 40 CFR 60.49b(f) – Specifies the recordkeeping requirements for units subject to an opacity standard. However, since these units are subject to an equivalent or more stringent limit under 6 NYCRR 227-1.3(a), for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 60.49b(g) - Specifies the NOx CEMS recordkeeping requirements and the associated reporting requirements under 40 CFR 60.49b(i). Boiler 45 and the Duct Burner meet similar quarterly reporting requirements for NOx CEMS under 6 NYCRR 227-2.6. The requirements of this citation may be met by submitting a single quarterly NOx report addressing the requirements of both rules. Note that the recordkeeping timeframe has been changed from two to five years in accordance with ATV requirements.
- 40 CFR 60.49b(h) - Specifies the semi-annual NOx and opacity excess emissions reporting requirements. Equivalent or more stringent quarterly excess emissions reporting requirements are specified in monitoring conditions for 6 NYCRR 227-1.5(b)(2) and 227-2.6 for affected units. The requirements of this citation may be met by submitting a single quarterly NOx report addressing the requirements of both rules. Note that the recordkeeping timeframe has been changed from two to five years in accordance with ATV requirements.

40 CFR 60, Subpart GG NSPS for Fossil Fuel-Fired Steam Generators

- The natural gas-fired combustion turbine (ES 321BA) is subject to 40 CFR 60, Subpart GG requirements, under the following citations:
  - 40 CFR 60-GG.332.(a)(2)
  - 40 CFR 60-GG.333
  - 40 CFR 60-GG.334(h)(3)
  - 40 CFR 60-GG.334(i)(2)
  - 40 CFR 60-GG.334(j)(1)
  - 40 CFR 60-GG.334(j)(5)
  - 40 CFR 60-GG.335(a)

No conditions have been included for 40 CFR 60, Subpart GG because the turbine is more stringently regulated under 6 NYCRR Part 225 and Part 227 requirements. The combustion turbine will burn natural gas only with minimal sulfur content.

Note that any HRSG and duct burner associated with a 40 CFR 60, Subpart GG regulated combustion turbine would be regulated under 40 CFR 60, Subpart Db (steam generating units >100 MMBtu/hr that commenced construction, modification or reconstruction after June 19, 1984). It is also noted that 40 CFR 63, Subpart YYYY applies to stationary combustion turbines located at a major source of HAP emissions that commenced construction, modification or reconstruction after January 14, 2003 and is therefore not applicable. 40 CFR 60, Subpart KKKK applies to combustion turbines >= 10MMBtu/hr based on the HHV of the fuel fired that commenced construction, modification or reconstruction after February 18, 2005 and is therefore not applicable. The power house conversion project has only considered the purchase of a pre-owned turbine that was constructed after October 3, 1977 and prior to January 14, 2003. As such, the gas turbine is subject to Subpart GG requirements but not 40 CFR 60, Subpart KKKK and 40 CFR 63, Subpart YYYY requirements. However, as stated above, the turbine is more stringently regulated under 6 NYCRR Part 225 and Part 227.

The combustion turbine is subject to a calculated NOx limit of 156.4 ppmv @15% O2 under Subpart GG-40 CFR 60.332(a)(2) and has monitoring and performance testing obligations under 40 CFR 60.335. The combustion turbine is subject to a case-by-case RACT determination under 6 NYCRR Subpart 227-2 which has resulted in a more stringent NOx limit and must install a CEMs to demonstrate compliance with this NOx RACT limit at the stack. The facility will opt to use NOx data from the CEMS to demonstrate compliance with 40 CFR 60, Subpart GG NOx limit. This was discussed with EPA staff during several phone conversations and documented in a letter from RED Rochester, LLC to EPA, dated May 29, 2015.

40 CFR 60, Subpart IIII Stationary Compression Ignition Internal Combustion Engine NSPS

- New York State has not accepted delegation of 40 CFR 60, Subpart IIII. A general facility-level condition for this rule has been included in the permit to address the requirements applicable to the stationary RICE under EU E-NGINE and the starter engine under Process K28. To comply with this rule, the facility owner or operator must purchase a starter engine meeting Tier 4f standards. The facility owner or operator is responsible for complying with the applicable requirements of Subpart IIII.

40 CFR 61, Subpart A NESHAP General Provisions

- 40 CFR 61, Subpart A – Specifies the general requirements for monitoring, recordkeeping, and reporting for operations subject to Federal National Emissions Standards for Hazardous Air Pollutants (NESHAPS).

40 CFR 61, Subpart E Mercury NESHAP

- 40 CFR 61-E.52(b) – This regulation limits mercury emissions from MHI (ES 095EF) to 3200 g/24-hours. The MHI is subject to a more stringent mercury feedrate limit under 40 CFR 60, Subpart EEE of 33 g/12-hours. Compliance is demonstrated with the 40 CFR 63, Subpart EEE limit through routine sludge sampling and sludge feed rate limits as specified in monitoring conditions elsewhere in this permit. Therefore, this citation has been excluded from this permit.
- 40 CFR 61-E.55(a) – This regulation requires monitoring mercury emissions from the MHI (ES 095EF) annually if mercury emissions exceed more than 1600 grams in a 24-hour period. The MHI is subject to a more stringent mercury feedrate limit under 40 CFR 60, Subpart EEE of 33 g/12-hours. By complying with the more stringent 40 CFR 60, Subpart EEE mercury feedrate limit, the MHI would not exceed this threshold and changes in operation that could increase the mercury feedrate levels would require a major permit modification. Therefore, this citation has been excluded from this permit.

40 CFR 61, Subpart FF Benzene Waste Operations NESHAP

- 40 CFR 61-FF.342(a) – This regulation outlines the requirements for chemical manufacturing plants, coke byproduct recovery plants and petroleum refineries to show that they manage less than 10 megagrams (Mg) per year of benzene from facility waste. Staying below this threshold exempts the facility from the substantive requirements of the Benzene Recovery NESHAP. To demonstrate compliance with the annual 10 Mg limit, the rule specifies a calculation methodology relying on data collected on an annual basis. Therefore, the permit specifies a calculation of annual total benzene waste for demonstration of compliance with the 10 Mg limit. The facility's annual total of benzene waste subject to this rule has historically been well below 1 Mg per year. In addition to the 10 Mg/year limit, the permit condition requires that the calculation of total annual benzene be repeated whenever

there is a change in the process generating the waste that could cause the quantity to increase to 1 Mg/year or more. Additional conditions in the permit (see 40 CFR 61, Subpart FF citations below) provide further assurance that accurate records are kept and notification to the agencies would occur if the quantity of benzene wastes approached the applicability threshold. Because of the historically low quantities of benzene waste at Eastman Business Park and the annual data collection specified by the rule itself, the annual calculation demonstration required by the permit is sufficient.

- 40 CFR 61-FF.356(b)(1) – Specifies on-going record keeping requirements for the identification of waste streams subject to 40 CFR 61, Subpart FF and the detailed information necessary to determine applicability (i.e.: benzene content).
- 40 CFR 61-FF.357(a) – Specifies initial reporting requirements on the regulatory status of each benzene-containing waste stream. This is a past requirement and therefore has been excluded from this permit.
- 40 CFR 61-FF.357(b) – Includes a condition requiring the reporting of waste stream changes that could cause annual benzene emissions to exceed the 1 Mg/year threshold.

40 CFR 63, Subpart A NESHAP General Provisions

- 40 CFR 63, Subpart A – Specifies the general requirements for monitoring, recordkeeping, and reporting for operations subject to Federal National Emissions Standards for Hazardous Air Pollutants (NESHAPS) Maximum Achievable Control Technology (MACT).

40 CFR 63, Subpart DD Offsite Waste NESHAP

- 40 CFR 63-DD.680(f) – Requires development and maintenance of a startup, shutdown, and malfunction (SSM) plan for the MHI (ES 095EF). The monitoring is consistent with the regulation.
- 40 CFR 63-DD.683(b)(2)(ii) – The facility may accept wastewater containing HAPs from off-site for treatment in the wastewater treatment plant (U-00008). This citation provides an exemption for treatment plants that receive less than 1 Mg of HAP containing wastewater per year. A monitoring condition has been included to describe the requirements and identify the exempt units and document HAP containing wastes from off-site and is consistent with the regulation.

40 CFR 63, Subpart EEE Hazardous Waste Combustors NESHAP

- 40 CFR 63.1206(c) – There are numerous monitoring conditions listed under this citation which address requirements for operating the MHI (ES 095EF). These include:
  - Requirements for the Startup, shutdown and malfunction plan (SSMP) (§63.1206(c)(2));
  - Requirements for investigating and reporting excessive exceedances of other parametric monitoring limits (§63.1206(c)(2)(v)(A)(3) and §63.1206(c)(3)(vi));
  - Three conditions addressing requirements for operating and testing a system which automatically cuts off the hazardous waste feed to the MHI (AWFCO) (§63.1206(c)(3));
  - Four conditions addressing the operation and reporting of emergency safety vents (ESV) (§63.1206(c)(4));
  - Two monitoring conditions for the control of combustion system leaks by continuously monitoring draft pressure of the MHI and maintaining it below ambient pressure (§63.1206(c)(5));
  - Two monitoring conditions specifying training requirements for MHI operators (§63.1206(c)(6)); and
  - A condition to maintain operation according to a O&M plan consistent with good operating practices and as demonstrated by the CPT (§63.1206(c)(7)).

These monitoring requirements are directly specified by the rule itself. In accordance with §63.1206(c)(1), language has been included in affected operating conditions indicating that the parameter limits do not apply (1) during performance tests conducted in accordance with approved test

plans, or (2) during periods of startup, shutdown or malfunction if the owner takes the corrective measures prescribed in the SSMP, and (3) when hazardous waste is not in the combustion chamber.

- 40 CFR 63.1209(a) – A monitoring condition has been included at §63.1209(a)(2) to address requirements for operating and calibrating the CO and oxygen CEMS in accordance with Performance Specification 4B in Appendix B of 40 CFR Part 60. No condition has been included for §63.1209(a)(1) because the requirement to continuously monitor CO and oxygen using a CEMs is already included in the CO monitoring condition cited at §63.1203.
- 40 CFR 63.1209(a) – A monitoring condition has been included at §63.1209(b) which states the requirements for operating and calibrating the non-CEMS Continuous Monitoring Systems (CMS), including frequency of calibration of thermocouples. This monitoring is consistent with the regulation.
- 40 CFR 63.1209(c)(2) – A monitoring condition has been included that specifies the requirements for a Feedstream Analysis Plan. This monitoring is consistent with the regulation.
- 40 CFR 63.1209(g)(2) – The Department has used its discretion in accordance with 40 CFR 63.1209(g)(2) to specify additional or alternative monitoring requirements. Other monitoring requirements are included under the later paragraphs of this section. The eight conditions included here are based on the most recent Comprehensive Performance Test (conducted in July 2018) and are intended to optimize the performance of the control equipment and minimize emissions. These conditions include:
    - Maximum temperature at MHI hearths #3 and #4;
    - Minimum water flowrate to the quench;
    - Maximum outlet temperature from the quench;
    - Minimum secondary power to the Wet Electrostatic Precipitator (WESP);
    - Maximum cadmium feedrate;
    - Maximum Secondary Combustion Chamber (SCC) temperature;
    - Maximum rabble arm speed; and
    - Maximum secondary specific power to the WESP.

  The condition for minimum secondary power to the WESP is based on EPA's Sept 22, 2003 approval of an alternative monitoring request which specified the use of specific power (VA/ 1000 acfm) in addition to secondary power (KVA) to monitor the operation of the WESP. Specifically, EPA stated in the 9/22/03 approval that Kodak had demonstrated that specific power is adequate to assure compliance under the miniburn conditions demonstrated. However, EPA would require monitoring of minimum secondary power as well to ensure compliance when stack gas is lower than demonstrated during testing. A monitoring condition incorporating EPA’s approval for Kodak is retained in this permit. The facility must always use the automated control to maximize voltage to the WESP.
- 40 CFR 63.1209(j) – Specifies the monitoring required to meet the minimum destruction and removal efficiency (DRE) standard. Monitoring conditions are included under separate citations under this subpart to demonstrate compliance with the monitoring under this citation. See §63.1209(m)(1)(i)(C) for monitoring the maximum stack gas air flow rate, §63.1209(k)(2) for monitoring the minimum combustion chamber temperature, and §63.1209(k)(4) for monitoring the total sludge feed rate.
- 40 CFR 63.1209(k)(2) – Specifies monitoring requirements for the minimum combustion chamber temperature. Two monitoring conditions are included for each of the combustion chambers (i.e., the #3 and #4 hearths and the SCC) and are consistent with the regulation and the most recent CPT. These monitoring locations best represent the bulk gas temperature in the combustion zones. These conditions also satisfy the monitoring requirements under §63.1209(j)(1).
- 40 CFR 63.1209(k)(3) – Specifies monitoring requirements for the stack gas air flow rate. Equivalent or more stringent monitoring is required under §63.1209(m)(l)(i)(C) which is included in a separate monitoring condition elsewhere in this permit. Therefore, for permit streamlining this citation has been excluded from the permit.

- 40 CFR 63.1209(k)(4) – Specifies monitoring requirements for maximum hazardous waste feedrate (sludge, grit, and debris) to the MHI (ES 095AF). A monitoring condition has been included that is consistent with the monitoring in the regulation and the most recent CPT. This condition also satisfies the monitoring requirements under §63.1209(j)(3).
- 40 CFR 63.1209(l)(1) – Specifies monitoring requirements for maximum mercury feedrate in the waste stream. A monitoring condition has been included that is consistent with the monitoring in the regulation and the most recent CPT.
- 40 CFR 63.1209(l)(2) – Specifies monitoring requirements for the minimum feedwater pressure to the Condenser. A monitoring condition has been included that is consistent with the monitoring in the regulation and the most recent CPT. This condition also satisfies the monitoring requirements under §63.1209(o)(3)(iii). Monitoring for the venturi scrubber is specified in a monitoring condition under §63.1209(m)(1)(i)(C).
- 40 CFR 63.1209(m)(1) – There are five monitoring conditions included under this citation specifying operating parameter limits for the particulate control devices:
    - The venturi scrubber is considered a high energy scrubber subject to the requirement to monitor a minimum pressure drop across the scrubber (§63.1209(m)(1)(i)(A)).
    - The condition for minimum pressure drop across the venturi satisfies requirements of paragraphs §63.1209(l)(2), (n)(3), and (o)(3)(i) for control of mercury, metals and HCl, respectively.
    - The minimum venturi blowdown and minimum liquid level in the recycle tank are required per §63.1209(m)(1)(i)(B)(1) as well as under paragraph §63.1209(n)(3) for metals.
    - A condition to monitor the minimum water flow rate to the venturi scrubber is cited at §63.1209(m)(1)(i)(C) which also satisfies requirements cited under paragraphs §63.1209(l)(2), (o)(2), and (n)(5).
    - The requirement to monitor the maximum stack gas air flow rate is specified in several other paragraphs of the rule: §63.1209(k)(3), (j)(2), (n)(5), and (o)(2); but is included in the permit under the §63.1209(m)(1)(i)(C) citation.

  The monitoring requirements are consistent with the regulation and most recent CPT.
- 40 CFR 63.1209(m)(3) – Specifies monitoring requirements for the maximum ash feed rate. This monitoring condition is consistent with the requirements of the rule. The limit was established based on the CPT test run averages, extrapolated by 30% as allowed by EPA's 9/22/03 alternative monitoring petition approval.
- 40 CFR 63.1209(n) – Specifies monitoring requirements for the semi-volatile and low-volatile metals. Two monitoring conditions are included are consistent with the requirements of the rule and the data collected during the most recent CPT. The low-volatile metal limit was established based on the CPT test run averages, extrapolated by 30% as allowed by §63.1209(n)(2)(viii). Monitoring for control of particulate emissions is included in a monitoring condition under §63.1209(m) and satisfies the requirements of §63.1209(n)(3) and (n)(5). Monitoring for the chlorine feed rate is included in a monitoring condition under §63.1209(o)(1)) and satisfies the requirements of §63.1209(n)(4).
- 40 CFR 63.1209(o)(1) – Specifies monitoring requirements for total feed rate of chlorine. A monitoring condition has been included that is consistent with the monitoring in the regulation and the most recent CPT. This condition also satisfies the monitoring requirements under §63.1209(n)(4).
- 40 CFR 63.1209(o)(2) – Specifies monitoring requirements for control of particulate emissions. Equivalent or more stringent monitoring is specified in a monitoring condition under §63.1209(m)(1)(i)(C). Therefore, for permit streamlining, this citation has been excluded from the permit.

- 40 CFR 63.1209(o)(3)(iii) – Specifies the pressure drop monitoring requirements for low-energy set scrubbers(i.e., the Condenser/Absorber). This monitoring condition does not include an Automatic Waste Feed Cutoff (AWFCO) based on EPA's September 22, 2003 approval of an alternative monitoring petition which specifies an alarm only, followed by necessary corrective action. The lower pressure drop limits at stack gas flowrates less than 8863 acfm are based on a December 29, 2005 alternative monitoring petition approval. Additionally, monitoring requirements for pH and solids content, specified at §63.1209(o)(3)(iv) and §63.1209(m)(1)(i)(B), were waived by EPA's August 27, 2001 approval of an alternative monitoring petition. This monitoring condition also satisfies requirements for monitoring the Condenser/Absorber under paragraphs §63.1209(m)(1)(i)(B)(1) and (l)(2) for particulate and mercury control.
- 40 CFR 63.1209(o)(3)(iii) – Specifies monitoring requirements for the minimum feedwater pressure to the Condenser. Equivalent or more stringent monitoring is specified in a monitoring condition under §63.1209(l)(2). Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 63.1209(o)(3)(iv) – Specifies monitoring requirements for the pH of the venturi blowdown. The pH limit of 5.4 in a previous permit was established based on Kodak's February 13, 2009 alternative monitoring petition which was approved by EPA. This variance approval also specified a pH advisory level of 5.69. The alternative monitoring limit was effective until new test data became available. Following the more recent 2013 CPT results, RED-Rochester, LLC submitted another alternative monitoring request to EPA, dated December 10, 2014, to continue the 5.4 pH limit. In a May 21, 2015 letter, EPA approved the continued use of the alternative limit on the minimum pH. Therefore, the 5.4 pH limit with the 5.69 advisory level has been renewed with this permit renewal.
- 40 CFR 63.1209(o)(3)(v) – Specifies monitoring requirements for the Condenser/Absorber feed water flow rate. A monitoring condition has been included that is consistent with the monitoring in the regulation and the most recent CPT. This condition also satisfies the monitoring requirements under §63.1209(l)(2).
- 40 CFR 63.1211 – Two monitoring conditions have been included that specify the reporting requirements under paragraph (a) and (b) of this citation. This monitoring is consistent with the regulation.
- 40 CFR 63.1219 – A monitoring condition has been included under this citation to state the requirement for the MHI (ES 095AF) to maintain a 99.99% destruction and removal efficiency in order to meet the seven emission standards for: Carbon Monoxide, Low-Volatile Metals, HCl and chlorine, Semi-Volatile Metals, Dioxins and Furans, Particulate, and Mercury. For each standard a compliance test is required once during the term of the permit.

  Operating limits established during testing are specified under separate permit conditions in this permit. A second condition under this citation specifies the CEMS requirements to demonstrate compliance with the 100 ppm carbon monoxide (CO) limit at the MHI. The facility chooses to comply with the CO emission limit according the requirements of §63.1219(a)(5)(i), rather than the hydrocarbon limit in subdivision (5)(ii). The CEMs requirements in §63.1209(a)(1) and (2) are also addressed by this condition.

  **Note that EPA granted a waiver of the annual RATA for the Carbon Monoxide (CO) CEMS on the MHI. EPA’s letter to Kodak, dated June 20, 2003, states that the facility shall instead conduct an annual CEMS status check, following the manufacturer’s instructions and in accordance with 40 CFR 60 Appendix B Performance Specification 4B, Section 7.3. The CEMS status check must include all applicable items listed in this section, including calibration error and calibration drift determinations. Because there have been no modifications to this system upon transfer of the facility to RED-Rochester, LLC this approval is still valid provided that the facility continues to meet the criteria in the

Performance Standard for approval of this option and so long as the CO concentration at the time that the RATA would be scheduled is less than 10 ppm (actual concentration, not corrected).

40 CFR 63, Subpart ZZZZ Reciprocating Internal Combustion Engine NESHAP

- New York State has not accepted delegation of 40 CFR 63, Subpart ZZZZ. Therefore, a general facility-level condition for this rule has been included in the permit to address the requirements applicable to the stationary RICE under EU E-NGINE and the starter engine under Process K28. The facility owner or operator must comply with the applicable requirements of 40 CFR 63, Subpart ZZZZ.
- 40 CFR 63.6590(c) – The starter engine under Process K28 is subject to 40 CFR 60, Subpart IIII as noted elsewhere in this permit. Per this citation, this source satisfies the requirements of Subpart ZZZZ by complying with Subpart IIII. However, this source continues to be noted as subject to Subpart ZZZZ.

40 CFR 63, Subpart DDDDD Industrial, Commercial, and Institutional Boilers and Process Heaters NESHAP

- 40 CFR 63.7495(a) – The compliance deadline for subject new boilers has already passed. Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 63.7495(b) – The compliance deadline for subject existing boilers has already passed. Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 63.7500(a) – This regulation specifies the emission limits and work practice requirements from Tables 1-4 of 40 CFR 63, Subpart DDDDD. Tables 11-13 provide alternative emission limits. Multiple monitoring conditions are included under this citation to incorporate the applicable limits and work practice requirements to Boilers 44 through 48. The monitoring in these conditions is consistent with the regulation requirements and includes the following 40 CFR 63, Subpart DDDDD boiler subcategories:
    - Light Liquid Fuel Boilers: Emission limits and work practice requirements apply to Process K14, No. 2 fuel combustion in Boiler 44 (ES 321AJ). Boiler 44 primarily burns natural gas with No. 2 fuel oil as backup. However, since Boiler 44 is subject to the more stringent standards for Light Liquid Fuel Boilers, the requirements for Gas 1 boilers have been excluded for Boiler 44.
    - Gas 1 Boilers: Work practice requirements apply to Process K24, natural gas in the combustion Boiler 45, Boiler 46, Boiler 47, Boiler 48. Per the Operational Flexibility Request approved on May 14, 2018 during the prior term, Boiler 45 has been reclassified from a Light Liquid Fuel boiler to a Gas 1 boiler and this reclassification has been included in the permit as part of this renewal. Although Boiler 45 has the capability to fire No. 2 fuel oil and natural gas, it is anticipated that No. 2 fuel oil combustion (during testing, maintenance, curtailment, etc.) will be less than 48 hours per year and therefore, Boiler 45 can qualify as a Gas 1 boiler per §63.7575. Compliance with this exemption will be demonstrated through recordkeeping in a monitoring condition elsewhere in this permit.
- 40 CFR 63.7500(c) – This monitoring condition specifies the tune-up and applicable requirements for the Limited Use Boiler subcategory. The monitoring is consistent with the regulation. Please note that the prior permit (Ren 1, Mod 0) contained redundant conditions for this requirement. As part of this modification, one of the redundant conditions has been removed.
- 40 CFR 63.7515 – Specifies the subsequent compliance requirements for subject boilers. A monitoring condition is included under §63.7515(h) that specifies that only a one-time performance test is required for boilers burning natural gas and ULSD. The one-time performance test requirement

was met for Boiler 44 during the testing conducted in September 2018. Compliance with the exemption is met through meeting the fuel sulfur content limits under 6 NYCRR Part 225.

Since the facility has chosen to comply with the Boiler 44 emission limits through performance testing (per the option in §63.7505(c)) and meets the exemption from subsequent performance testing under §63.7515(h), for permit streamlining, the fuel analysis requirements have been removed from the permit as part of this renewal.

- 40 CFR 63.7520 – Includes a monitoring condition that specifies the performance test procedures. The monitoring requirements are consistent with the regulation. Note that the performance testing procedure conditions have been left in the permit in the event of a fuel switch.
- 40 CFR 63.7525(a) – Includes a monitoring condition that specifies the oxygen analyzer system requirements for Boiler 44. The monitoring requirements are consistent with the regulation.
- 40 CFR 63.7525(k) – Specifies the monitoring/recordkeeping requirements for Limited Use Boilers. The 6 NYCRR 227-2.5(c) federally enforceable limit of 200,000 gallons of residual oil used per year (3.0 x 10^4 MMBtu/year per boiler) for each of the four Package Boilers (ES 031AC, 031AD, 031AE, 031AF, and EP 00001) is more stringent than the Boiler MACT limited use 10% annual capacity factor (8.5 x 10^4 MMBtu/year per boiler.) By complying with the 6 NYCRR 227-2.5(c) fuel use record keeping requirements of this condition, the facility is also satisfying the Limited Use Boiler 10% annual capacity record keeping requirements under 40 CFR 63.7525(k). Therefore, for permit streamlining, this citation has been excluded from the permit.
- 40 CFR 63.7530(a) – This citation specifies the initial compliance demonstration requirements for boilers subject to emission limits. Since the one-time performance test requirement was met for Boiler 44 during the testing conducted in September 2018, for permit streamlining, this citation is excluded from the permit.
- 40 CFR 63.7530(b) – Includes a monitoring condition that specifies the requirements for establishing site-specific operating parameters. The monitoring requirements are consistent with the regulation.
- 40 CFR 63.7530(e) – Specifies certification of completion of the one-time energy assessment for existing boilers with the Notification of Compliance Status. Since the due date for this requirement has passed, for permit streamlining, this citation has been excluded from this permit.
- 40 CFR 63.7530(h) – Includes a monitoring condition that specifies the work practice requirements for boilers subject to emission limits during periods of startup and shutdown. The monitoring requirements are consistent with the regulation.
- 40 CFR 63.7535 – Includes a monitoring condition that specifies data collection requirements for oil-fired boilers. The monitoring requirements are consistent with the regulation.
- 40 CFR 63.7540(a) – Includes a monitoring condition that specifies the used to demonstrate compliance with the emission limits, operating limits, and work practices. The monitoring requirements are consistent with the regulation.
- 40 CFR 63.7545(e) – Specifies certification of completion of the initial compliance demonstration with the Notification of Compliance Status. Since the due date for this requirement has passed, for permit streamlining, this citation has been excluded from this permit.
- 40 CFR 63.7550 – Multiple monitoring conditions are included under §63.7550(b)-(h) that specify the reporting requirements for subject boilers. These monitoring requirements are consistent with the regulation.

- 40 CFR 63.7555 – Multiple monitoring conditions are included under §63.7555(a)-(d) that specify the recordkeeping requirements for subject boilers. These monitoring requirements are consistent with the regulation.
- 40 CFR 63.7560 – Specifies the records accessibility and retention requirements under 40 CFR 63, Subpart DDDDD. This monitoring requirement is consistent with the regulation.

40 CFR 64, Compliance Assurance Monitoring (CAM)

- 40 CFR 64 CAM conditions for Boilers 42, 43, and 44 for particulate emission limits were included in the previous permit. However, with the retirement of Boilers 42 and 43, and the conversion of Boiler 44 (from coal-fired to natural gas/oil) and associated removal of the dry electrostatic precipitator, boiler operations are no longer subject to CAM. Therefore, the CAM condition for Boiler 44 has not been retained with this renewal since Boiler 44 does not use a control device to meet an emission limit. Please note that the four package boilers, combustion turbine/duct burner, and Boilers 45, 46, 47, and 48 do not use control devices to comply with a non-exempt emission limit and are also not subject to CAM.
- 40 CFR 64 CAM conditions are not included for the stationary combustion installations under EU E-NGINE since these sources do not have pre-control emissions greater than major source thresholds and are subject to 40 CFR 63, Subpart ZZZZ.
- 40 CFR 64.4 - Justification of the proposed CAM for sources/units under U-00008, required per paragraph 64.4(b), and past test data and associated documentation used to support the proposed monitoring, required under 64.4(c), were provided as part of Kodak's first renewal application and are included below for those Emission Units which were transferred to RED-Rochester, LLC. Where CAM applicability may not be self-evident, a brief applicability analysis and conclusions for units, pollutants and standard combinations for which Kodak and/or RED-Rochester, LLC concluded that CAM does not apply is included below.
    - ES 095AF (Multiple Hearth Incinerator (MHI)) – Pre-control total HAP, VOC, and particulate emissions from the MHI are greater than major source thresholds. The MHI is subject to the Hazardous Waste Combustor MACT - 40 CFR 63, Subpart EEE which was proposed after November 15, 1990. Therefore, for emissions from the MHI subject to an emission limit under Subpart EEE (i.e., carbon dioxide, lead, hydrogen chloride, beryllium, cadmium, chromium, arsenic, mercury, dioxins/furans, and particulates), CAM requirements do not apply.

      Process air contaminants from the MHI must comply with the applicable requirements of 6 NYCRR Part 212 as specified in conditions elsewhere in this permit. Process emissions from the MHI which are subject to a limit under 6 NYCRR Part 212 are controlled via a series of control devices required by 40 CFR 63, Subpart EEE. In accordance with Subpart EEE, the facility must continuously monitor control device and process operating parameters to ensure continuous compliance with the applicable emission limits and control device operation. Therefore, since this unit is subject to continuous monitoring under Subpart EEE to ensure continuous compliance, MHI process emissions subject to a limit under Part 212 are exempt from CAM requirements per §64.2(b)(vi). This exemption also applies for monitoring for air contaminants that comply with 6 NYCRR Part 212 requirements by complying with Subpart EEE (i.e., carbon monoxide and lead) under 6 NYCRR 212-1.5(e).

      The continuous control device and process operating parameters are established during Comprehensive Performance Tests (CPT) required under Subpart EEE. Subsequent to the most recent CPT, a revised Notice of Compliance (NOC) was submitted and approved by the Department on January 31, 2019. The revised NOC included the monitoring requirements

necessary to comply with the limits. The indicator ranges for the parameters are consistent with the limits provided in the NOC and permit conditions elsewhere in this permit.

Continuous monitoring of the following parameters is required as identified in the MHI NOC and permit monitoring conditions:
1. Water flow rate to the condenser (Control Device 09507);
2. Feed of wastewater sludge, grit, and debris to the MHI (Emission Source 095AF);
3. Venturi scrubber (Control Device 09509) blowdown rate;
4. Water flow rate to the quench chamber (Control Device 09506);
5. Stack gas air flow rate through the MHI (Emission Source 095AF);
6. Secondary specific power supplied to the wet electrostatic precipitator (WESP) (Control Device 09511);
7. Water flow rates to the venturi scrubber approach and throat (Control Device 09509);
8. Pressure drop across the venturi scrubber (Control Device 09509);
9. Condenser (Control Device 09507) water pressure;
10. WESP KVA (Control Device 09511); and
11. Ash feed rate to the MHI (Emission Source 095AF)

- Control R1601 (Wet Scrubbers) – The wet scrubber system was designed to control emissions from the trickling filters, sludge dewatering ("belt press room" or "centrifuge room"), and sludge holding tanks. It is used infrequently and limited to operation during periods of high organic loadings to the King's Landing wastewater treatment plant. The primary function of the wet scrubber system is odor control, however a nominal level of VOC control (generally <5%) is realized for the exhausts from the trickling filters, belt press room, and holding tanks. This control efficiency has historically been relied on in the emissions calculations associated with the VOC RACT cap for the trickling filters. To optimize the VOC control efficiency a minimum 10 gallon per minute scrubber water blowdown rate is used to ensure the quality of the water in the scrubber system. Process modeling (see 4/18/95 letter from Donna Hendricks, P.E., Kodak to Thomas Marriott, P.E., NYSDEC Region 8) has demonstrated that the control requirements can be met with this blowdown rate.

  Pre-control total HAP and VOC emissions from the trickling filters, sludge dewatering, and sludge holding tanks are greater than major source thresholds. However, since this unit is subject to a VOC RACT emissions cap specified in a condition under citation 6 NYCRR 212-3.1(f), CAM requirements to not apply to the sources controlled by the wet scrubbers.

- ES 095AJ (Central Vacuum System) – The central vacuum system is used infrequently for cleaning solids (ex. fugitive ash) within Building 95. Pre-control emissions of particulate from the central vacuum system are greater than the major source threshold and a HEPA filter (Control 09508) is used to comply with the grain loading standard under 6 NYCRR 212-2.4(b).

  Differential pressure readings are used to continuously monitor the pressure drop across the HEPA filter to ensure the grain loading standard is met and are appropriate to satisfy the CAM monitoring criteria. The indicator range of 0.1 to 5.0 inches of water is based on manufacturer's recommendation in this type of application. A pressure drop below this indicator range may indicate the presence of a tear in the HEPA filter; whereas, a pressure drop above this range is indicative that the HEPA filter may need to be changed. Since this unit is subject to continuous monitoring to ensure continuous compliance, this unit is exempt from CAM requirements per §64.2(b)(vi).

  Pre-control emissions for other emissions sources that utilize control devices (i.e., the fly ash disposal system and grit chamber) do not exceed major source thresholds and are not subject to CAM requirements.