PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 4-3820-00008/00007

Mod 0 Effective Date: 02/06/2017 Expiration Date: 02/05/2027

Mod 1 Effective Date: 04/19/2017 Expiration Date: 02/05/2027

Permit Issued To: SAF NY Realty Co LLC
1932 Long Hill Rd Ste B
Millington, NJ 07946

Contact: Michael L. Paternak
1932 Long Hill Road, STE B
Millington, NJ 07946
(908) 350-8290

Facility: Sustainable Aqua Farms
16 SATTERLEE HOLLOW RD
BERLIN, NY 12022

Description:
This modification is to address the upgrade of the proposed Jenbacher Model J420GS 1.4 MW CHP natural gas fired genset. The engine is an emissions source under Emission Unit: ENG01.

The 'new' proposed engine will have the same horsepower and gas firing ratings; however, the NOx emission rate guaranteed by the manufacturer is 0.5 g/bhp-hr instead of the original 1.0. This limit is lower than both 6 NYCRR 222 and 40 CFR 60 Subpart JJJJ required NOx emission limits.
By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:        NANCY M BAKER
NYSDEC - REGION 4
1130 N WESTCOTT RD
SCHENECTADY, NY 12306-2014

Authorized Signature: _____________________________ Date: ___ / ___ / _____
Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

DEC GENERAL CONDITIONS

General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for permit renewals, modifications and transfers
Permit modifications, suspensions or revocations by the Department

Facility Level
Submission of application for permit modification or renewal - REGION 4 HEADQUARTERS
DEC GENERAL CONDITIONS

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

Item 3.3
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.
Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:
The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

**** Facility Level ****

Condition 5: Submission of application for permit modification or renewal-REGION 4 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 4 Headquarters
Division of Environmental Permits
1130 North Westcott Rd.
Schenectady, NY 12306-2014
(518) 357-2069
Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY

IDENTIFICATION INFORMATION

Permit Issued To: SAF NY Realty Co LLC
1932 Long Hill Rd Ste B
Millington, NJ 07946

Facility: Sustainable Aqua Farms
16 Satterlee Hollow Rd
Berlin, NY 12022

Authorized Activity By Standard Industrial Classification Code:
0273 - ANIMAL AQUACULTURE

Mod 0 Permit Effective Date: 02/06/2017  Permit Expiration Date: 02/05/2027
Mod 1 Permit Effective Date: 04/19/2017  Permit Expiration Date: 02/05/2027
LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level
1 6 NYCRR 211.1: Air pollution prohibited

Emission Unit Level
EU=1-BOILR
2 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=1-GENST
3 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
4 40CFR 60.4245(a)(4), NSPS Subpart JJJJ: Compliance Demonstration

EU=1-GENST,Proc=001,ES=ENG01
5 40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ: Compliance Demonstration
6 40CFR 60.4245(a), NSPS Subpart JJJJ: Compliance Demonstration
7 40CFR 60.4245(c), NSPS Subpart JJJJ: Compliance Demonstration

EU=1-GENST,EP=00001,Proc=001,ES=ENG01
8 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Demonstration
9 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Demonstration
10 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level
11 ECL 19-0301: Contaminant List
12 6 NYCCR 201-1.4: Malfunctions and start-up/shutdown activities
13 6 NYCCR Subpart 201-5: Emission Unit Definition
14 6 NYCCR 201-5.2 (c): Renewal deadlines for state facility permits
15 6 NYCCR 201-5.3 (c): Compliance Demonstration
16 6 NYCCR 211.2: Visible Emissions Limited

Emission Unit Level
17 6 NYCCR Subpart 201-5: Emission Point Definition By Emission Unit
18 6 NYCCR Subpart 201-5: Process Definition By Emission Unit
FEDERALLY ENFORCEABLE CONDITIONS

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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

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

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

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

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

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

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

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

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

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

Item H: Proof of Eligibility for Sources Defined as Trivial
Activities - 6 NYCRR 201-3.3 (a)
The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: Required Emission Tests - 6 NYCRR 202-1.1
An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

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

Item 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.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Air pollution prohibited
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 6 NYCRR 211.1

Item 1.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

**** Emission Unit Level ****

Condition 2: Compliance Demonstration
Effective between the dates of 02/06/2017 and 02/05/2027

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

Item 2.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-BOILR

Item 2.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
No owner or operator of a combustion installation shall
operate the installation in such a way to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference test Method 9 in Appendix A of 40 CFR 60.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: ANNUALLY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3: Applicability of General Provisions of 40 CFR 60 Subpart A Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 40 CFR 60, NSPS Subpart A

Item 3.1:
This Condition applies to Emission Unit: 1-GENST

Item 3.2:
This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 4: Compliance Demonstration Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 40 CFR 60.4245(a)(4), NSPS Subpart A

Item 4.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GENST

Regulated Contaminant(s):
- CAS No: 000630-08-0 CARBON MONOXIDE
- CAS No: 0NY998-00-0 VOC
- CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 4.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Owners and operators of all non-certified stationary spark ignition internal combustion engines or certified engines operating in a non-certified manner and subject to §60.4243(a)(2), must keep documentation that the engine
meets the emission standards.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2017.
Subsequent reports are due every 6 calendar month(s).

**Condition 5:** Compliance Demonstration
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ

**Item 5.1:**
The Compliance Demonstration activity will be performed for:

- Emission Unit: 1-GENST
- Process: 001
- Emission Source: ENG01

**Item 5.2:**
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a stationary SI internal combustion engine greater than 500 HP must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition an initial performance test must be performed and subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance must also be conducted.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2017.
Subsequent reports are due every 6 calendar month(s).

**Condition 6:** Compliance Demonstration
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 40CFR 60.4245(a), NSPS Subpart JJJJ

**Item 6.1:**
The Compliance Demonstration activity will be performed for:

- Emission Unit: 1-GENST
- Process: 001
- Emission Source: ENG01
Item 6.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Owners or operators of stationary SI ICE that are subject to the provisions of 40 CFR Subpart JJJJ must meet the following notification, reporting and recordkeeping requirements.

(1) All notifications submitted to comply with this subpart and all documentation supporting any notification.

(2) Maintenance conducted on the engine.

(3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.

(4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2017.
Subsequent reports are due every 6 calendar month(s).

Condition 7: Compliance Demonstration
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 40CFR 60.4245(c), NSPS Subpart JJJJ

Item 7.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GENST
Process: 001
Emission Source: ENG01

Item 7.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Owners and operators of stationary SI ICE greater than or
equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the following:

(1) Name and address of the owner or operator;

(2) The address of the affected source;

(3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;

(4) Emission control equipment; and

(5) Fuel used.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 8: Compliance Demonstration**

**Effective between the dates of 02/06/2017 and 02/05/2027**

**Applicable Federal Requirement:** 40CFR 60.4233(e), NSPS Subpart JJJJ

**Item 8.1:**
The Compliance Demonstration activity will be performed for:

- Emission Unit: 1-GENST
- Emission Point: 00001
- Process: 001
- Emission Source: ENG01

- Regulated Contaminant(s):
  - CAS No: 000630-08-0 CARBON MONOXIDE

**Item 8.2:**
Compliance Demonstration shall include the following monitoring:

- Monitoring Type: INTERMITTENT EMISSION TESTING
- Monitoring Description:
  - Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engine's initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

- Upper Permit Limit: 2.0 grams per brake horsepower-hour
Permit ID: 4-3820-00008/00007         Facility DEC ID: 4382000008

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2017.
Subsequent reports are due every 6 calendar month(s).

Condition 9: Compliance Demonstration
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 40CFR 60.4233(e), NSPS Subpart JJJJ

Item 9.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: 1-GENST       Emission Point: 00001
Process: 001              Emission Source: ENG01

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

Item 9.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engines initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

Upper Permit Limit: 1.0 grams per brake horsepower-hour
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2017.
Subsequent reports are due every 6 calendar month(s).

Condition 10: Compliance Demonstration
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable Federal Requirement: 40CFR 60.4233(e), NSPS Subpart JJJJ

Item 10.1:
The Compliance Demonstration activity will be performed for:

- Emission Unit: 1-GENST
- Emission Point: 00001
- Process: 001
- Emission Source: ENG01

**Regulated Contaminant(s):**

- CAS No: 0NY998-00-0 VOC

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

**Monitoring Type:** INTERMITTENT EMISSION TESTING

**Monitoring Description:**

Owners and operators of stationary SI ICE with a maximum engine power greater than or equal to 75 KW (100 HP) (except gasoline and rich burn engines that use LPG) must comply with the emission standards listed below for their stationary SI ICE.

In addition, an initial performance test must be performed within 1 year of the engine's initial startup and then conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

**Upper Permit Limit:** 0.7 grams per brake horsepower-hour

**Monitoring Frequency:** AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

**Reporting Requirements:** SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2017.

Subsequent reports are due every 6 calendar month(s).
STATE ONLY ENFORCEABLE CONDITIONS
**** Facility Level ****

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

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

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

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

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

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

Condition 11: Contaminant List
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable State Requirement: ECL 19-0301

Item 11.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit (emission limits, control requirements or compliance monitoring conditions).

CAS No: 000630-08-0
Name: CARBON MONOXIDE

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

CAS No: 0NY998-00-0
Name: VOC

Condition 12: Malfunctions and start-up/shutdown activities
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable State Requirement: 6 NYCRR 201-1.4

Item 12.1:
(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

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

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

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

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

Condition 13: Emission Unit Definition
Effective between the dates of 02/06/2017 and 02/05/2027

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 13.1 (From Mod 1):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 1-GENST
Emission Unit Description:
One 1,966 horsepower natural gas fired repirocating

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internal combustion engine (RICE).
(To operate with a 'new' proposed engine that will have the same horsepower and gas firing ratings; however, the NOx emission rate guaranteed by the manufacturer is 0.5 g/bhp-hr instead of the original 1.0.)

Building(s): G1

**Item 13.2 (From Mod 0):**
The facility is authorized to perform regulated processes under this permit for:
- Emission Unit: 1-BOILR
- Emission Unit Description: One of 36.17 mmBTU/hr natural gas fired boiler.

Building(s): B1

**Condition 14:** Renewal deadlines for state facility permits
Effective between the dates of 02/06/2017 and 02/05/2027

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

**Item 14.1:**
The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

**Condition 15:** Compliance Demonstration
Effective between the dates of 02/06/2017 and 02/05/2027

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

**Item 15.1:**
The Compliance Demonstration activity will be performed for the Facility.

**Item 15.2:**
Compliance Demonstration shall include the following monitoring:

- Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
- Monitoring Description:
  Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

  Division of Air Resources
  NYS Dept. of Environmental Conservation
  Region 4
  1130 N. Westcott Rd.
  Schenectady, NY 12306

- Reporting Requirements: ANNUALLY (CALENDAR)
  Reports due 30 days after the reporting period.
The initial report is due 7/30/2017.
Subsequent reports are due every 12 calendar month(s).

**Condition 16: Visible Emissions Limited**
Effective between the dates of 02/06/2017 and 02/05/2027

**Applicable State Requirement:** 6 NYCRR 211.2

**Item 16.1:**
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

**** Emission Unit Level ****

**Condition 17: Emission Point Definition By Emission Unit**
Effective between the dates of 02/06/2017 and 02/05/2027

**Applicable State Requirement:** 6 NYCRR Subpart 201-5

**Item 17.1 (From Mod 1):**
The following emission points are included in this permit for the cited Emission Unit:

- Emission Unit: 1-GENST
  - Emission Point: 00001
    - Height (ft.): 0
    - Diameter (in.): 16
    - NYTMN (km.): 4728.806
    - NYTME (km.): 633
    - Building: G1

**Item 17.2 (From Mod 0):**
The following emission points are included in this permit for the cited Emission Unit:

- Emission Unit: 1-BOILR
  - Emission Point: 00002
    - Height (ft.): 35
    - Diameter (in.): 36
    - NYTMN (km.): 4728.806
    - NYTME (km.): 632.998
    - Building: B1

**Condition 18: Process Definition By Emission Unit**
Effective between the dates of 02/06/2017 and 02/05/2027

**Applicable State Requirement:** 6 NYCRR Subpart 201-5

**Item 18.1 (From Mod 1):**
This permit authorizes the following regulated processes for the cited Emission Unit:

- Emission Unit: 1-GENST
  - Process: 001
    - Source Classification Code: 2-03-002-04
    - Process Description:
Jenbacher Model J420GS 1.4MW CHP Genset fired on natural gas.

Emission Source/Control: ENG01 - Combustion
Design Capacity: 1,966 horsepower (mechanical)

Item 18.2 (From Mod 0):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-BOILR
Process: 002 Source Classification Code: 1-03-006-02
Process Description: Crone boiler firing of natural gas.

Emission Source/Control: BLR01 - Combustion
Design Capacity: 36.17 million Btu per hour