PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 7-1122-00005/00002
Mod 0 Effective Date: 12/26/2002 Expiration Date: No expiration date.
Mod 3 Effective Date: 04/19/2012 Expiration Date: No expiration date.
Mod 4 Effective Date: 10/26/2012 Expiration Date: No expiration date.

Permit Issued To: GUTCHESS LUMBER CO INC
150 MCLEAN RD
PO BOX 5478
CORTLAND, NY 13045-5478

Contact: CORTLAND WOOD PRODUCTS INC
PO BOX 5508
CORTLAND, NY 13045-5508

Facility: GUTCHESS LUMBER COMPANY INC.
880 MCLEAN RD
CORTLAND, NY 13045

Contact: BENJAMIN STUART
CORTLAND WOOD PRODUCTS
880 MCLEAN RD
CORTLAND, NY 13045
(607) 753-3393

Description:
The permit is being revised to update the facility's current configuration.
Requirements in the RICE MACT are being added.

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: JOSEPH M DLUGOLENSKI
1285 FISHER AVE
CORTLAND, NY 13045-1090

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
Applications for Permit Renewals and Modifications
Permit modifications, suspensions or revocations by the Department
Permit Modifications, Suspensions and Revocations by the Department
Facility Level
Submission of Applications for Permit Modification or Renewal
-REGION 7 HEADQUARTERS
Submission of application for permit modification or
renewal-REGION 7 SUBOFFICE - CORTLAND
DEC GENERAL CONDITIONS

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 4-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 4-1.1:
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 4-1.2:
The permittee must submit a renewal application at least 180 days before expiration of permits
for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility
Permits.

Item 4-1.3:
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.
Applicable State Requirement: 6 NYCRR 621.13

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

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

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 4-2: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 4-2.1:
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.

Condition 4: Permit Modifications, Suspensions and Revocations by the Department

Applicable State Requirement: 6 NYCRR 621.14

Item 4.1:
The Department reserves the right 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.
the Department related to the permitted activity.

**** Facility Level ****

Condition 5: Submission of Applications for Permit Modification or Renewal - REGION 7

HEADQUARTERS

Applicable State Requirement: 6 NYCRR 621.5 (a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 7 Headquarters
Division of Environmental Permits
615 Erie Blvd West
Syracuse, NY 13204-2400
(315) 426-7400

Condition 4-3: Submission of application for permit modification or renewal - REGION 7

SUBOFFICE - CORTLAND

Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 4-3.1:
Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 7 Sub-office
Division of Environmental Permits
1285 Fisher Avenue
Cortland, NY 13045-1090
(607) 753-3095
Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY

IDENTIFICATION INFORMATION

Permit Issued To: GUTCHESS LUMBER CO INC
150 MCLEAN RD
PO BOX 5478
CORTLAND, NY 13045-5478

Facility: GUTCHESS LUMBER COMPANY INC.
880 MCLEAN RD
CORTLAND, NY 13045

Authorized Activity By Standard Industrial Classification Code:
2421 - SAWMILLS & PLANING MILLS GENERAL

Mod 0 Permit Effective Date: 12/26/2002
Permit Expiration Date: No expiration date.

Mod 3 Permit Effective Date: 04/19/2012
Permit Expiration Date: No expiration date.

Mod 4 Permit Effective Date: 10/26/2012
Permit Expiration Date: No expiration date.
LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level
4-1 6 NYCRR 200.6: Acceptable Ambient Air Quality
4-2 6 NYCRR 202-1.1: Required Emissions Tests
4-3 6 NYCRR Subpart 201-7: Facility Permissible Emissions
*4-4 6 NYCRR Subpart 201-7: Capping Monitoring Condition
*4-5 6 NYCRR Subpart 201-7: Capping Monitoring Condition
*4-6 6 NYCRR Subpart 201-7: Capping Monitoring Condition
4-7 6 NYCRR 211.1: Air pollution prohibited
4-8 40 CFR 63.11201(b), Subpart JJJJJJ: Compliance Demonstration
4-9 40 CFR 63.11205(a), Subpart JJJJJJ: Good air pollution control practices
4-10 40 CFR 63.11214, Subpart JJJJJJ: Compliance Demonstration
4-11 40 CFR 63.11223, Subpart JJJJJJ: Compliance Demonstration
4-12 40 CFR 63.11225, Subpart JJJJJJ: Compliance Demonstration

Emission Unit Level

EU=0-00001, EP=00004
8 6 NYCRR 227-1.2 (a) (4): Interpolation method for standards of particulate matter from solid fuel firing equipment.
9 6 NYCRR 227-1.3 (a): Compliance Demonstration

EU=0-00001, EP=00005
10 6 NYCRR 200.6: Compliance Demonstration
11 6 NYCRR 227-1.2 (a) (4): Interpolation method for standards of particulate matter from solid fuel firing equipment.
12 6 NYCRR 227-1.3 (a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level
13 ECL 19-0301: Contaminant List
4-13 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
14 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
15 6 NYCRR Subpart 201-5: Emission Unit Definition
16 6 NYCRR 211.2: Air pollution prohibited
4-14 6 NYCRR 211.2: Visible Emissions Limited

Emission Unit Level
17 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
18 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping.
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: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

Item F: 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 G: 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 H: 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 I: 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 J: 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 K: 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 L: Permit Exclusion - ECL 19-0305
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 4-1: Acceptable Ambient Air Quality
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.6

Item 4-1.1:
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 4-2: Required Emissions Tests
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 4-2.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 4-3: Facility Permissible Emissions
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 4-3.1:
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following Potential To Emit (PTE) rate for each regulated contaminant:

<table>
<thead>
<tr>
<th>CAS No</th>
<th>Name</th>
<th>PTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>000630-08-0</td>
<td>CARBON MONOXIDE</td>
<td>199,000 pounds</td>
</tr>
<tr>
<td>0NY075-00-0</td>
<td>PARTICULATES</td>
<td>199,000 pounds</td>
</tr>
<tr>
<td>0NY210-00-0</td>
<td>OXIDES OF NITROGEN</td>
<td>199,000 pounds</td>
</tr>
</tbody>
</table>

Condition 4-4: Capping Monitoring Condition
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 4-4.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 4-4.2:**
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 4-4.3:**
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 4-4.4:**
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 4-4.5:**
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 4-4.6:**
The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 4-4.7:**
Compliance Demonstration shall include the following monitoring:

- **Capping:** Yes
- **Monitoring Type:** MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
- **Monitoring Description:**
  1. Facility-wide emissions of oxides of nitrogen shall not exceed 99 tons per year, for each 12 consecutive month period.
  2. The facility will monitor and record the quantity of wood combusted in Emission Unit 0-00001 (Boiler #3 and Boiler #4). The amount of wood combusted shall be used to compute emissions of oxides of nitrogen.
3. The following emission rates shall be used to calculate facility particulate matter emissions:

Boiler #3: 3.7 lb/ton wood combusted (AP-42)
Boiler #4: 3.7 lb/ton wood combusted (1998 stack test)

If site specific emissions factors are computed from emissions tests, then the facility shall compute emissions suing the emission factors derived from the most recent DEC-approved emission test, beginning on the date that the tests were completed.

In the event that pollutant emitting equipment is added pursuant to the operational flexibility provisions of the DEC's rules, annual emissions estimates shall include estimates from such equipment, as directed by the DEC.

4. If, at the end of any 12 consecutive month period, cumulative emissions of oxides of nitrogen over that period (computed as described in this condition) equal or exceed 75 tons, or at any other time as requested by the DEC, the owner or operator shall conduct emissions testing and derive site specific emission factors in accordance with the following schedule.

i. Within 30 days of the end of the calendar month where the 12 month oxides of nitrogen emissions total was equal to or greater than 75 tons, submit to the DEC a protocol to test emissions.

ii. Within 60 days of the end of the calendar month where the 12 month oxides of nitrogen emissions total was equal to or greater than 75 tons, conduct emissions testing.

iii. Within 60 days of completing such tests, submit to the DEC a report of such emissions.

5. On an annual basis, submit to the DEC a report stating whether the facility has complied with this condition. Include the actual annual emissions for each 12 month period. If annual oxides of nitrogen emissions exceed 99 tons for any period, submit to the DEC a report of such excess emissions no later than 30 days after the occurrence of such excess emission.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 99 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12-month total, rolled monthly
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2013.
Subsequent reports are due every 12 calendar month(s).

**Condition 4-5: Capping Monitoring Condition**
**Effective between the dates of 10/26/2012 and Permit Expiration Date**

**Applicable Federal Requirement:** 6 NYCRR Subpart 201-7

**Item 4-5.1:** Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 4-5.2:** Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

**Item 4-5.3:** The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

**Item 4-5.4:** On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 4-5.5:** The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

**Item 4-5.6:** The Compliance Demonstration activity will be performed for the Facility.

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

**Item 4-5.7:**
Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

1. Facility-wide emissions of particulate matter shall not exceed 99 tons per year, for each 12 consecutive month period.

2. The facility will monitor and record the quantity of wood combusted in Emission Unit 0-00001 (Boiler #3 and Boiler #4). The amount of wood combusted shall be used to compute emissions of particulate matter.

3. The following emission rates shall be used to calculate facility particulate matter emissions:

   Boiler #3: 2.1 lb/ton wood combusted (AP-42)
   Boiler #4: 2.1 lb/ton wood combusted (1998 stack test)

If site specific emissions factors are computed from emissions tests, then the facility shall compute emissions using the emission factors derived from the most recent DEC-approved emission test, beginning on the date that the tests were completed.

In the event that pollutant emitting equipment is added pursuant to the operational flexibility provisions of the DEC's rules, annual emissions estimates shall include estimates from such equipment, as directed by the DEC.

4. If, at the end of any 12 consecutive month period, cumulative emissions of particulate matter over that period (computed as described in this condition) equal or exceed 75 tons, or at any other time as requested by the DEC, the owner or operator shall conduct emissions testing and derive site specific emission factors in accordance with the following schedule.

   i. Within 30 days of the end of the calendar month where the 12 month particulate matter emissions total was equal to or greater than 75 tons, submit to the DEC a protocol to test emissions.

   ii. Within 60 days of the end of the calendar month where the 12 month particulate matter emissions total was equal to or greater than 75 tons, conduct emissions testing.
iii. Within 60 days of completing such tests, submit to the DEC a report of such emissions.

5. On an annual basis, submit to the DEC a report stating whether the facility has complied with this condition. Include the actual annual emissions for each 12 month period. If annual particulate matter emissions exceed 99 tons for any period, submit to the DEC a report of such excess emissions no later than 30 days after the occurrence of such excess emission.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 99 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12-month total, rolled monthly
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 4-6: Capping Monitoring Condition
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 4-6.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

Item 4-6.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 4-6.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 4-6.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time.
period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 4-6.5: The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 4-6.6: The Compliance Demonstration activity will be performed for the Facility.

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

Item 4-6.7: Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
1. Facility-wide emissions of carbon monoxide shall not exceed 99 tons per year, for each 12 consecutive month period.
2. The facility will monitor and record the quantity of wood combusted in Emission Unit 0-00001 (Boiler #3 and Boiler #4). The amount of wood combusted shall be used to compute emissions of CO.
3. The following emission rates shall be used to calculate facility CO emissions:
   - Boiler #3: 10.8 lb/ton wood combusted (AP-42)
   - Boiler #4: 10.8 lb/ton wood combusted (1998 stack test)

If site specific emissions factors are computed from emissions tests, then the facility shall compute emissions using the emission factors derived from the most recent DEC-approved emission test, beginning on the date that the tests were completed.

In the event that pollutant emitting equipment is added pursuant to the operational flexibility provisions of the DEC's rules, annual emissions estimates shall include estimates from such equipment, as directed by the DEC.

4. If, at the end of any 12 consecutive month period, cumulative emissions of CO over that period (computed as described in this condition) equal or exceed 75 tons, or
at any other time as requested by the DEC, the owner or operator shall conduct emissions testing and derive site specific emission factors in accordance with the following schedule.

i. Within 30 days of the end of the calendar month where the 12 month emissions total was equal to or greater than 75 tons, submit to the DEC a protocol to test emissions.

ii. Within 60 days of the end of the calendar month where the 12 month emissions total was equal to or greater than 75 tons, conduct emissions testing.

iii. Within 60 days of completing such tests, submit to the DEC a report of such emissions.

5. On an annual basis, submit to the DEC a report stating whether the facility has complied with this condition. Include the actual annual emissions for each 12 month period. If annual emissions exceed 99 tons for any period, submit to the DEC a report of such excess emissions no later than 30 days after the occurrence of such excess emission.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 99 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: 12-month total, rolled monthly
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2013.
Subsequent reports are due every 12 calendar month(s).

Condition 4-7: Air pollution prohibited
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 211.1

Item 4-7.1: 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.

Condition 4-8: Compliance Demonstration
Effective between the dates of 10/26/2012 and Permit Expiration Date
Applicable Federal Requirement: 40CFR 63.11201(b), Subpart JJJJJJJ

Item 4-8.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 4-8.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator must have a one-time energy assessment performed by a qualified energy assessor. The energy audit must be completed no later than March 21, 2014, unless the date is extended, stayed or otherwise changed by the EPA.

The energy assessment must include:
(1) A visual inspection of the boiler system,
(2) An evaluation of operating characteristics of the facility, specifications of energy using systems, operating and maintenance procedures, and unusual operating constraints,
(3) Inventory of major systems consuming energy from affected boiler(s),
(4) A review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage,
(5) A list of major energy conservation measures,
(6) A list of the energy savings potential of the energy conservation measures identified,
(7) A comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments.

The owner or operator must submit to the DEC and the EPA, no later than July 21, 2014, a notification that he or she has complied with this condition, unless otherwise specified by the EPA.

Monitoring Frequency: SINGLE OCCURRENCE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 4-9: Good air pollution control practices
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 63.11205(a), Subpart JJJJJJJ

Item 4-9.1:
At all times the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent
with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

**Condition 4-10: Compliance Demonstration**

*Effective between the dates of 10/26/2012 and Permit Expiration Date*

**Applicable Federal Requirement:** 40CFR 63.11214, Subpart JJJJJJ

**Item 4-10.1:**
The Compliance Demonstration activity will be performed for the Facility.

**Item 4-10.2:**
Compliance Demonstration shall include the following monitoring:

**Monitoring Type:** RECORD KEEPING/MAINTENANCE PROCEDURES

**Monitoring Description:**
1. The owner or operator of an existing or new oil-fired boiler must conduct a performance tune-up biennially according to 40 CFR §63.11223(b) and must submit a signed statement in the Notification of Compliance Status report that indicates that the owner or operator conducted such a tune-up of the boiler. The first tune-up is due March 21, 2012 unless the date is extended, stayed or otherwise changed by the EPA.

2. The owner or operator of an existing affected boiler with a heat input capacity of 10 million Btu per hour or greater must submit a signed certification in the Notification of Compliance Status report that an energy assessment of the boiler and its energy use systems was completed and submit, upon request, the energy assessment report.

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

**Reporting Requirements:** AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 4-11: Compliance Demonstration**

*Effective between the dates of 10/26/2012 and Permit Expiration Date*

**Applicable Federal Requirement:** 40CFR 63.11223, Subpart JJJJJJ

**Item 4-11.1:**
The Compliance Demonstration activity will be performed for the Facility.

**Item 4-11.2:**
Compliance Demonstration shall include the following monitoring:
Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:
For affected sources subject to the work practice standard or the management practices of a tune-up, the owner or operator must conduct a biennial performance tune-up according to paragraphs (b) of this condition and keep records as required in 40 CFR §63.11225(c) to demonstrate continuous compliance. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up.

(b) the owner or operator must conduct a tune-up of the boiler biennially to demonstrate continuous compliance as specified in paragraphs (b)(1) through (7) of this condition.

(1) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, but you must inspect each burner at least once every 36 months).

(2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.

(3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly.

(4) Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available.

(5) Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made).

(6) Maintain onsite and submit, if requested by the Administrator, biennial report containing the information in paragraphs (b)(6)(i) through (iii) of this section.

(i) The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler.

(ii) A description of any corrective actions taken as a
part of the tune-up of the boiler.

(iii) The type and amount of fuel used over the 12 months prior to the biennial tune-up of the boiler.

(7) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of startup.

On an annual basis, the owner or operator must state in a report to the Department whether he or she has complied with this condition.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2013.
Subsequent reports are due every 12 calendar month(s).

**Condition 4-12: Compliance Demonstration**

Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 63.11225, Subpart JJJJJJ

**Item 4-12.1:**
The Compliance Demonstration activity will be performed for the Facility.

**Item 4-12.2:**
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
63.11225

The boilers are subject to 40 CFR Part 63, Subpart JJJJJJ.
The owner or operator must comply with the notification, reporting, and recordkeeping requirements of 40 CFR 63.11225 and 40 CFR Part 63, Subpart A as specified in Table 8 to Subpart JJJJJJ of Part 63.

1. The owner or operator must submit all of the notifications in 40 CFR Sections 63.7(b); 63.8(e) and (f); 63.9(b) through (e); and 63.9(g) and (h).

2. The owner or operator must submit the initial notification within 120 days after the source becomes subject to the standard.

3. The owner or operator must submit a notification of compliance status no later than 120 days after the compliance date. Your notification must include the following certifications, as applicable: (i) “This
facility complies with the requirements in 40 CFR 63.11214 to conduct an initial tune-up of the boiler.” (ii) “This facility has had an energy assessment performed according to 40 CFR 63.11214(c).”

4. The owner or operator must prepare biennially, by March 1 of reporting year, and submit to the EPA and the DEC upon request, a biennial compliance certification report for the previous two calendar years. The report must include the company name and address, a statement by a responsible official, with the responsible official’s name, title, phone number, e-mail address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of 40 CFR Part 63, Subpart JJJJJ.

5. The owner or operator must maintain the records specified in 40 CFR 63.11225(c) in a form suitable and readily available for expeditious review: (i) a copy of each notification and report that you submitted to comply with this 40 CFR Part 63, Subpart JJJJJ and all documentation supporting any initial notification and notification of compliance status that you submit; (ii) records to document conformance with the requirement to conduct the energy assessment and biennial tune ups; (iii) records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer’s specifications to which the boiler was tuned. You must keep each record for five years following the date of each recorded action. You must keep each record on-site for at least two years after the date of each recorded action. You may keep the records off site for the remaining three years.

On an annual basis, the owner or operator shall submit to the DEC a statement of whether he or she has complied with condition.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2013.
Subsequent reports are due every 12 calendar month(s).

**** Emission Unit Level ****

Condition 8: Interpolation method for standards of particulate matter

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from solid fuel firing equipment.
Effective between the dates of 12/26/2002 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-1.2 (a) (4)

Item 8.1:
This Condition applies to Emission Unit: 0-00001 Emission Point: 00004

Item 8.2:
The following equation shall be used to determine the applicable particulate matter emission rate for a stationary combustion installations with a total heat input between 10-10,000 mmBtu/hr:

\[ E = \frac{1.0}{p^{0.22}} \]

where:
E = permissible emission rate in lb/million Btu
p = total heat input in mmBtu/hr.

Condition 9: Compliance Demonstration
Effective between the dates of 12/26/2002 and Permit Expiration Date

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

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

Emission Unit: 0-00001 Emission Point: 00004

Item 9.2:
Compliance Demonstration shall include the following monitoring:

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: EPA RM 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 10: Compliance Demonstration
Effective between the dates of 12/26/2002 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 200.6

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

Emission Unit: 0-00001  
Emission Point: 00005  

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

**Item 10.2:**
Compliance Demonstration shall include the following monitoring:

**Monitoring Type:** INTERMITTENT EMISSION TESTING  
**Monitoring Description:**
Total particulate matter and PM-10 emissions shall not exceed 6.0 lb/hr, unless air quality modeling demonstrates that a higher actual emission rate does not result in the contravention of the TSP and/or PM-10 air quality standards. Compliance with these limits shall be determined by the average of three test runs performed in accordance with 40 CFR 60, Appendix A, Method 5. Such testing shall be conducted within 10% of the maximum firing rate of the boiler. Stack testing shall be performed in accordance with 6 NYCRR Part 202 upon request by the Department.

Parameter Monitored: PARTICULATES  
Upper Permit Limit: 6.0 pounds per hour  
Reference Test Method: EPA RM 5  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 11:** Interpolation method for standards of particulate matter from solid fuel firing equipment.  
Effective between the dates of 12/26/2002 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-1.2 (a) (4)

**Item 11.1:**
This Condition applies to  
Emission Unit: 0-00001  
Emission Point: 00005

**Item 11.2:**
The following equation shall be used to determine the applicable particulate matter emission rate for a stationary combustion installations with a total heat input between 10-10,000 mmBtu/hr:
E = 1.0/p^{0.22}

where:
E = permissible emission rate in lb/million Btu
p = total heat input in mmBtu/hr.

Condition 12: Compliance Demonstration
Effective between the dates of 12/26/2002 and Permit Expiration Date

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

Item 12.1:
The Compliance Demonstration activity will be performed for:

- Emission Unit: 0-00001
- Emission Point: 00005

Item 12.2:
Compliance Demonstration shall include the following monitoring:

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: EPA RM 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE
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: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)
Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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.

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state only enforceable.
Condition 13: Contaminant List
Effective between the dates of 12/26/2002 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 13.1:
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: 0NY075-00-0
  Name: PARTICULATES

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

Condition 4-13: Unavoidable noncompliance and violations
Effective between the dates of 10/26/2012 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 201-1.4

Item 4-13.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supersede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective
action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

**Condition 14: Unavoidable noncompliance and violations**

**Effective between the dates of 12/26/2002 and Permit Expiration Date**

**Applicable State Requirement:** 6 NYCRR 201-1.4

**Item 14.1:**

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in
writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superseded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

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

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

(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 15: Emission Unit Definition
Effective between the dates of 12/26/2002 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR Subpart 201-5

Item 15.1 (From Mod 4):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: 0-00001
Emission Unit Description:
ONE 10 MMBTU/HR WOOD-FIRED BOILER AND ONE 29.9 MMBTU/HR WOOD-FIRED BOILER WHICH ARE OPERATED FOR THE PURPOSE OF PROVIDING STEAM. EMISSION UNIT 000001 INCLUDES EMISSION POINTS 00004 AND 00005.

Building(s): 1

Condition 16: Air pollution prohibited
Effective between the dates of 12/26/2002 and Permit Expiration Date

Applicable State Requirement: 6 NYCRR 211.2

Item 16.1:
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.

**Condition 4-14:** Visible Emissions Limited  
Effective between the dates of 10/26/2012 and Permit Expiration Date

**Applicable State Requirement:** 6 NYCRR 211.2

**Item 4-14.1:**
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 12/26/2002 and Permit Expiration Date

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

**Item 17.1(From Mod 0):**
The following emission points are included in this permit for the cited Emission Unit:

- **Emission Unit:** 0-00001
  - **Emission Point:** 00004  
    - Height (ft.): 70  
    - Diameter (in.): 28  
    - NYTMN (km.): 4715.  
    - NYTME (km.): 399.9  
    - Building: 1
  - **Emission Point:** 00005  
    - Height (ft.): 100  
    - Diameter (in.): 30  
    - NYTMN (km.): 4715.  
    - NYTME (km.): 399.9  
    - Building: 1

**Condition 18:** Process Definition By Emission Unit  
Effective between the dates of 12/26/2002 and Permit Expiration Date

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

**Item 18.1(From Mod 4):**
This permit authorizes the following regulated processes for the cited Emission Unit:

- **Emission Unit:** 0-00001  
  - **Process:** BLR  
  - **Source Classification Code:** 1-02-009-06  
  - **Process Description:** ONE 10 MMBTU/HR WOOD-FIRED BOILER AND ONE 29.9 MMBTU/HR WOOD-FIRED BOILER USED TO PROVIDE PROCESS STEAM FOR THE DRYING AND CONDITIONING OF HARDWOOD LUMBER.
  - **Emission Source/Control:** BLR03 - Combustion
Emission Source/Control: BLR04 - Combustion