

**New York State Department of Environmental Conservation
Facility DEC ID: 7312600016**



**PERMIT
Under the Environmental Conservation Law (ECL)**

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 7-3126-00016/00267
Effective Date: 10/23/2002 Expiration Date: No expiration date

Permit Issued To: BRISTOL-MYERS SQUIBB CO INC
345 PARK AVE
NEW YORK, NY 10154

Facility: BRISTOL-MYERS SQUIBB COMPANY
6000 THOMPSON RD
SYRACUSE, NY 13221-4755

Contact: DAVID P LAPINSKI
BRISTOL MYERS SQUIBB COMPANY
P O BOX 4755
SYRACUSE, NY 13221-4755
(315) 432-2000

Description:

This permit allows for the construction/installation of a new boiler (boiler #10) at the Bristol - Myers Squibb Co. facility in Syracuse, NY. This boiler will have both actual NOx and SO2 emission limits below 39.9 tons per year for each contaminant, for the purpose of keeping the facility out of 40 CFR 52 A (PSD) applicability. The new process boiler also has applicability under 40 CFR 60 Dc.

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: JOANNE L MARCH
DIVISION OF ENVIRONMENTAL PERMITS
615 ERIE BLVD WEST
SYRACUSE, NY 13204-2400

Authorized Signature: _____ Date: ___ / ___ / ____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 7
HEADQUARTERS



DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

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

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

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transfer of ownership.

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

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 7 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 7 Headquarters
Division of Environmental Permits
615 Erie Blvd West
Syracuse, NY 13204-2400
(315) 426-7400



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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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345 PARK AVE
NEW YORK, NY 10154

Facility: BRISTOL-MYERS SQUIBB COMPANY
6000 THOMPSON RD
SYRACUSE, NY 13221-4755

Authorized Activity By Standard Industrial Classification Code:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 227-2.3(g): Contents of operating plans.
- 2 6NYCRR 227-2.6(c)(2): Compliance Demonstration
- 3 6NYCRR 227-2.6(c)(2): Compliance Demonstration
- 4 40CFR 60.7(a), NSPS Subpart A: Date of construction notification - If a COM is not used.
- 5 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 6 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
- 7 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 8 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 9 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 10 40CFR 60.8(d), NSPS Subpart A: Prior notice.

Emission Unit Level

- 11 40CFR 52.21, Subpart A: Emission Unit Permissible Emissions

EU=1-CMBUS,Proc=C34

- 12 40CFR 60.44c(h), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.
- 13 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration
- 14 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration

EU=1-CMBUS,Proc=C34,ES=17002

- 15 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration

EU=1-CMBUS,Proc=C36

- 16 40CFR 60.44c(h), NSPS Subpart Dc: Alternative compliance methods for sulfur dioxide.
- 17 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration
- 18 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration

EU=1-CMBUS,Proc=C36,ES=17000

- 19 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration

EU=1-CMBUS,Proc=C38,ES=23001

- 20 6NYCRR 219-5.2(a): Particulate matter limitation.

EU=1-CMBUS,EP=02004

- 21 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-CMBUS,EP=02008



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22 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-CMBUS,EP=02009

23 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-CMBUS,EP=020S6

24 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-CMBUS,EP=020T6

25 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-CMBUS,EP=20201

26 6NYCRR 227-1.3(a): Compliance Demonstration

EU=1-CMBUS,EP=20202

27 6NYCRR 227-1.3(a): Compliance Demonstration

EU=2-CMBUS

28 6NYCRR 227-2.6(c)(1): Stack testing

*29 40CFR 52.21, Subpart A: Compliance Demonstration

*30 40CFR 52.21, Subpart A: Compliance Demonstration

31 40CFR 60.43c(c), NSPS Subpart Dc: Compliance Demonstration

EU=2-CMBUS,EP=00017

32 40CFR 60.45c(a), NSPS Subpart Dc: Compliance Demonstration

EU=2-CMBUS,EP=00017,Proc=C41

33 6NYCRR 227-2.4(c): Compliance Demonstration

EU=2-CMBUS,EP=00017,Proc=C42

34 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

35 ECL 19-0301: Contaminant List

36 6NYCRR 201-1.4: Unavoidable noncompliance and violations

37 6NYCRR 201-5: Emission Unit Definition

38 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

39 6NYCRR 201-5: Emission Point Definition By Emission Unit

40 6NYCRR 201-5: Process Definition By Emission Unit

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EU=1-CMBUS,Proc=C32

41 6NYCRR 225-1.2(a)(2): Compliance Demonstration

EU=2-CMBUS,EP=00017,Proc=C42,ES=27004

42 6NYCRR 227-1.2(a)(2): Compliance Demonstration

NOTE: * preceding the condition number indicates capping. 2833 - MEDICINALS AND BOTANICALS

Permit Effective Date: 10/23/2002

Permit Expiration Date: No expiration date.



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 - 6NYCRR Part 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 - 6NYCRR Part 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 - 6NYCRR Part 200.7

Any person who owns or operates an air contamination

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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 - 6NYCRR Part 201-1.2

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

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

(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 - 6NYCRR Part 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



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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 - 6NYCRR Part 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 - 6NYCRR Part 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 Part 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 Part 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



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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 Part 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 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3

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.

Item L: Open Fires - 6 NYCRR Part 215

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item M: 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



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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 N: 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: Contents of operating plans.
Effective between the dates of 10/23/2002 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 227-2.3(g)

Item 1.1:

Operating Plan: any owner or operator of a facility subject to this section must submit to the department, with the application(s) for certificate(s) to operate submitted according to subdivision (d) of this section, an operating plan, including an operating manual, acceptable to the department. This should at a minimum include:

- (1) A summary of the applicable standards and requirements of this Subpart and how this facility will comply, including any system averaging and any higher specific unit emission rates that may apply;
- (2) A description of the combustion process, including the procedures for the control of NO_x emissions;
- (3) Procedures for monitoring unit operating parameters;
- (4) Procedures for ash handling;
- (5) Procedures for monitoring emissions;

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(6) Reporting and recordkeeping procedures; and,

(7) The name and title of operating personnel and, if applicable, their qualifications (e.g., licenses, certificates, education, training courses completed).

Condition 2: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(2)

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator shall submit a compliance test protocol to the Department for approval at least 90 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(2)

Item 3.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of large or mid-size boilers shall utilize stack testing Method 7, 7E, or 19 from 40 CFR Part 60, Appendix A or another reference test method approved by the Department. Large boilers shall be required to stack test once per term of the permit, to determine



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compliance with their NOx limit. Mid-size boilers are required to perform only an initial stack test, to determine compliance with their NOx limit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 4: Date of construction notification - If a COM is not used.
Effective between the dates of 10/23/2002 and Permit Expiration Date**

Applicable Federal Requirement: 40CFR 60.7(a), NSPS Subpart A

Item 4.1:

Any owner or operator subject to this part shall furnish the Administrator with the following information:

- 1) a notification of the date construction or reconstruction commenced, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;
- 4) a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under this part. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capability of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional information regarding the change;
- 5) a notification of the date upon which the demonstration of continuous monitoring system performance commences, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date.

**Condition 5: Recordkeeping requirements.
Effective between the dates of 10/23/2002 and Permit Expiration Date**

Applicable Federal Requirement: 40CFR 60.7(b), NSPS Subpart A

Item 5.1:

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.



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Condition 6: Excess emissions report.
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.7(c), NSPS Subpart A

Item 6.1:

Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall contain the following information:

- 1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;
- 2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;
- 3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- 4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Condition 7: Performance testing timeline.
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A

Item 7.1:

Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 8: Performance test methods.
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A

Item 8.1:

Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

Condition 9: Required performance test information.
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(c), NSPS Subpart A



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Item 9.1:

Performance tests shall be conducted under such conditions specified by the Administrator, based upon representative performance data supplied by the owner or operator of the facility.

Condition 10: Prior notice.

Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.8(d), NSPS Subpart A

Item 10.1:

The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

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

Condition 11: Emission Unit Permissible Emissions

Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 11.1:

The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 2-CMBUS

CAS No: 007446-09-5

Name: SULFUR DIOXIDE

PTE(s): 79,800 pounds per year

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 79,800 pounds per year

Condition 12: Alternative compliance methods for sulfur dioxide.

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 12.1:

This Condition applies to Emission Unit: 1-CMBUS

Process: C34

Item 12.2:

Facilities demonstrating compliance through vender certification shall follow the compliance procedures



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listed in paragraphs 40 CFR 60-Dc.48c(f)(1), (2), or (3), as applicable.

Condition 13: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 13.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS

Process: C34

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i) The name of the oil supplier, and
- ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/22/2003 for the period 10/23/2002 through 04/22/2003

Condition 14: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 14.1:

The Compliance Demonstration activity will be performed for:



New York State Department of Environmental Conservation

Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

Emission Unit: 1-CMBUS

Process: C34

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/22/2003 for the period 10/23/2002 through 04/22/2003

Condition 15: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 15.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS

Process: C34

Emission Source: 17002

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 15.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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



New York State Department of Environmental Conservation

Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

Parameter Monitored: OPACITY

Upper Permit Limit: 20.0 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 16: Alternative compliance methods for sulfur dioxide.
Effective between the dates of 10/23/2002 and Permit Expiration Date**

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

Item 16.1:

This Condition applies to Emission Unit: 1-CMBUS
Process: C36

Item 16.2:

Facilities demonstrating compliance through vendor certification shall follow the compliance procedures listed in paragraphs 40 CFR 60-Dc.48c(f)(1), (2), or (3), as applicable.

**Condition 17: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date**

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

Item 17.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS
Process: C36

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i) The name of the oil supplier, and
- ii) A statement from the oil supplier that the oil complies with the specifications under the definition of



New York State Department of Environmental Conservation

Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/22/2003 for the period 10/23/2002 through 04/22/2003

Condition 18: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 18.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS

Process: C36

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an affected facility shall record and maintain records of the amounts of each fuel combusted during each day.

Monitoring Frequency: DAILY

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/22/2003 for the period 10/23/2002 through 04/22/2003

Condition 19: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 19.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS

Process: C36

Emission Source: 17000

Regulated Contaminant(s):



New York State Department of Environmental Conservation

Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

CAS No: 0NY075-00-0 PARTICULATES

Item 19.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20.0 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 20: Particulate matter limitation.

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 20.1:

This Condition applies to Emission Unit: 1-CMBUS

Process: C38

Emission Source: 23001

Item 20.2:

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

Condition 21: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 21.1:

The Compliance Demonstration activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016



Emission Unit: 1-CMBUS Emission Point: 02004

Item 21.2:

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: UPON REQUEST BY REGULATORY AGENCY

Condition 22: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 22.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS Emission Point: 02008

Item 22.2:

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



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Facility DEC ID: 7312600016

Reference Test Method: EPA RM 9

Monitoring Frequency: UPON PERMIT RENEWAL

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 23: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 23.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS Emission Point: 02009

Item 23.2:

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: UPON PERMIT RENEWAL

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 24: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 24.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS Emission Point: 020S6

Item 24.2:

Compliance Demonstration shall include the following monitoring:



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Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 25: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 25.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS Emission Point: 020T6

Item 25.2:

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: UPON PERMIT RENEWAL

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 26: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

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Facility DEC ID: 7312600016



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

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS Emission Point: 20201

Item 26.2:

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: UPON REQUEST BY REGULATORY AGENCY

Condition 27: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS Emission Point: 20202

Item 27.2:

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



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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: UPON REQUEST BY REGULATORY AGENCY

Condition 28: Stack testing
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-2.6(c)(1)

Item 28.1:

This Condition applies to Emission Unit: 2-CMBUS

Item 28.2:

A stack test is required for this process. The testing procedures shall be performed per the provisions of 6NYCRR Subpart 227-2.6(c)(1).

Condition 29: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 29.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CMBUS

Regulated Contaminant(s):

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

Item 29.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

Total actual Nitrogen Oxides emissions from boiler #10
(Process C41 and C42) shall not exceed 39.9 tons per year,
firing both natural gas and #2 fuel oil. NOx emissions
shall be calculated based on fuel use and most recent

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Permit ID: 7-3126-00016/00267

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available EPA emission factors.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 39.9 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2003.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 30.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CMBUS

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 30.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
Total actual Sulfur Dioxide emissions from boiler #10 (Process C41 and C42) shall not exceed 39.9 tons per year, firing both natural gas and #2 fuel oil. SO₂ emissions shall be calculated based on fuel use and most recent available EPA emission factors

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: FUEL
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 39.9 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.



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Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

The initial report is due 1/30/2003.

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

Condition 31: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 31.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CMBUS

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 31.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

Parameter Monitored: OPACITY

Upper Permit Limit: 20.0 percent

Reference Test Method: Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 32: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 32.1:



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Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CMBUS Emission Point: 00017

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 32.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

initial performance test required by 40CFR60.8

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 33: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-2.4(c)

Item 33.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CMBUS Emission Point: 00017

Process: C41

Regulated Contaminant(s):

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

Item 33.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Initial compliance stack test

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: 7, 7E, 19

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION



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Facility DEC ID: 7312600016

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 34: Compliance Demonstration

Effective between the dates of 10/23/2002 and Permit Expiration Date

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

Item 34.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 2-CMBUS Emission Point: 00017

Process: C42

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 34.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i) The name of the oil supplier, and
- ii) A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in §60.41c. 60-Dc 41c defines distillate oil as fuel that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, A standard Specification for Fuel Oils.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 05/22/2003 for the period 10/23/2002 through 04/22/2003



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 - 6NYCRR Part 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

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law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 35: Contaminant List
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 35.1:

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

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

CAS No: 0NY075-00-0
Name: PARTICULATES

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

Condition 36: Unavoidable noncompliance and violations
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 36.1:

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



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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 37: Emission Unit Definition
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 37.1:

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

Emission Unit: 2-CMBUS

Emission Unit Description:

THIS EMISSION UNIT INCLUDES FACILITY
BOILER NUMBER 10.

Condition 38: Air pollution prohibited
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 38.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity,



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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 39: Emission Point Definition By Emission Unit
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 39.1:

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

Emission Unit: 2-CMBUS

Emission Point: 00017

Height (ft.): 70

Diameter (in.): 48

Building: 2

Condition 40: Process Definition By Emission Unit
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 40.1:

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

Emission Unit: 2-CMBUS

Process: C41

Source Classification Code: 1-02-006-02

Process Description:

Natural gas fired boiler (#10) rated at 99.6 million
BTU/hr maximum heat input; steam source.

Emission Source/Control: 27004 - Combustion

Design Capacity: 99.6 million Btu per hour

Item 40.2:

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

Emission Unit: 2-CMBUS

Process: C42

Source Classification Code: 1-02-005-01

Process Description:



New York State Department of Environmental Conservation

Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016

Number 2 fuel oil fired boiler (#10) rated at 99.6 million BTU/hr maximum heat input; steam source.

Emission Source/Control: 27004 - Combustion
Design Capacity: 99.6 million Btu per hour

Condition 41: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 225-1.2(a)(2)

Item 41.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CMBUS
Process: C32

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 41.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the following limitation.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.5 percent by weight

Reference Test Method: ASTM

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 42: Compliance Demonstration
Effective between the dates of 10/23/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 227-1.2(a)(2)

Item 42.1:

The Compliance Demonstration activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 7-3126-00016/00267

Facility DEC ID: 7312600016



Emission Unit: 2-CMBUS Emission Point: 00017
Process: C42 Emission Source: 27004

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

Item 42.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

TO COMPLY WITH THE 0.2 LB/MMBTU
PARTICULATE STANDARD, THE HEAT VALUE OF
RESIDUAL OIL FIRED MUST EXCEED 120,000
BTU'S PER GALLON.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 6 OIL

Parameter Monitored: HEAT CONTENT

Lower Permit Limit: 120000 British thermal units per
gallon

Monitoring Frequency: PER DELIVERY

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED
VALUE AT ANY TIME

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 11/21/2003 for the period 10/23/2002 through 10/22/2003