

Facility DEC ID: 7313400022

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 7-3134-00022/00011
Effective Date:

Expiration Date:

Permit Issued To: TENNESSEE GAS PIPELINE COMPANY LLC
1001 LOUISIANA ST
HOUSTON, TX 77002

Facility: TENNESSEE GAS PIPELINE CO - COMP STA 241
3447 SENTINEL HEIGHTS RD
LAFAYETTE, NY 13084

Contact: MAI-TRINH TRAN
TENNESSEE GAS PIPELINE CO
1001 LOUISIANA ST STE S1102A
HOUSTON, TX 77002
(713) 420-7931

Description:

Compressor Station 241 is an existing natural gas compressor station consisting of two (2) 3,400 HP Clark Model TLA-10 reciprocating engines (2SLB), each with a low emissions combustion kit; one (1) 4,500 HP Cooper Bessemer 10W-330C2 "Clean Burn" engine (2SLB); two (2) 3,785 HP Caterpillar G3612 engines (4SLB); and one Caterpillar G3408G SI 372 HP emergency generator. All engines burn only natural gas.

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: ELIZABETH A TRACY
615 ERIE BLVD W
SYRACUSE, NY 13204-2400

Authorized Signature: _____ Date: ___ / ___ / ____

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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.

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DEC GENERAL CONDITIONS

**** General Provisions ****

For the purpose of your Title V permit, the following section contains state-only enforceable terms and 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 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be

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submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 7
HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 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 - TITLE V PERMIT

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1001 LOUISIANA ST
HOUSTON, TX 77002

Facility: TENNESSEE GAS PIPELINE CO - COMP STA 241
3447 SENTINEL HEIGHTS RD
LAFAYETTE, NY 13084

Authorized Activity By Standard Industrial Classification Code:
4922 - NATURAL GAS TRANSMISSION

Permit Effective Date:

Permit Expiration Date:

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- 19 23 6 NYCRR 200.6: Compliance Certification
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- 23 25 6 NYCRR Subpart 201-6: Emission Unit Definition
- 24 26 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 24 *27 6 NYCRR Subpart 201-7: Capping Monitoring Condition
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- 29 30 6 NYCRR 211.2: Visible Emissions Limited
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- 39 41 40CFR 63.6640, Subpart ZZZZ: Compliance Certification
- 40 42 40CFR 63.6645, Subpart ZZZZ: Compliance Certification
- 42 43 40CFR 63.6655, Subpart ZZZZ: Compliance Certification
- 43 44 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
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- 46 *47 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 47 *48 6 NYCRR Subpart 201-7: Capping Monitoring Condition
- 49 49 40CFR 52.21, Subpart A: Compliance Certification

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- 52 50 ECL 19-0301: Contaminant List
- 52 51 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 53 52 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 53 53 6 NYCRR 211.1: Air pollution prohibited

NOTE: * preceding the condition number indicates capping.

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 3/DRAFT

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

- Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)**
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.
- Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.
- Item C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- Item D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and

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reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item G: Property Rights - 6 NYCRR 201-6.4 (a) (6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item H: Severability - 6 NYCRR 201-6.4 (a) (9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item I: Permit Shield - 6 NYCRR 201-6.4 (g)

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

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

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facility for any violation of applicable requirements prior to or at the time of permit issuance;

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

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

Item J: Reopening for Cause - 6 NYCRR 201-6.4 (i)

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the department pursuant to the provisions of section 201- 6.6 of this Subpart.

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

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

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit

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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item K: Permit Exclusion - ECL 19-0305

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

Item L: Federally Enforceable Requirements - 40 CFR 70.6 (b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

**Condition 1: Acceptable Ambient Air Quality
Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 200.6****Item 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

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contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

**Condition 2: Fees
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)

Item 2.1:

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

**Condition 3: Recordkeeping and Reporting of Compliance Monitoring
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-6.4 (c)

Item 3.1:

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii)The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

**Condition 4: Records of Monitoring, Sampling, and Measurement
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all

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reports required by the permit.

Condition 5: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements,

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the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. 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. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual

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report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions;

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and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department’s Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch
 USEPA Region 2 DECA/ACB
 290 Broadway, 21st Floor
 New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
 NYSDEC Region 7 Headquarters
 615 Erie Boulevard, West
 Syracuse, NY 13204-2400

The address for the BQA is as follows:

NYSDEC
 Bureau of Quality Assurance
 625 Broadway

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Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2021.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April
15th each year for emissions of the previous calendar
year.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due by April 15th for previous calendar year

Condition 8: Recordkeeping requirements
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 9: Open Fires - Prohibitions
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow

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or permit the burning of any materials in an open fire.

Item 9.2

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

**** Emission Unit Level ****

Condition 10: Compliance Certification
Effective for entire length of Permit

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Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)

Item 10.1:

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

Regulated Contaminant(s):

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

Item 10.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Periodic Monitoring for Compliance with NOx RACT
 On an annual basis, or at a more frequent basis, the owner or operator shall conduct emission tests for NOx. Such testing shall be conducted using ASTM D6522-00 or equivalent, in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the tests and the final report is due within 60 days of completion of such tests.

On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: ASTM D6522-0

Monitoring Frequency: ANNUALLY

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
 SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.

[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

**Condition 11: Maintenance of Equipment
 Effective for entire length of Permit**

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Applicable Federal Requirement:6 NYCRR 200.7

Item 11.1:

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.

**Condition 12: Recycling and Salvage
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 12.1:

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

**Condition 13: Prohibition of Reintroduction of Collected Contaminants to the air
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 13.1:

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.

**Condition 14: Exempt Sources - Proof of Eligibility
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-3.2 (a)

Item 14.1:

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

**Condition 15: Trivial Sources - Proof of Eligibility
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-3.3 (a)

Item 15.1:

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this

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Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

**Condition 16: Requirement to Provide Information
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)

Item 16.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

**Condition 17: Right to Inspect
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)

Item 17.1:

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Condition 18: Off Permit Changes
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-6.4 (f) (6)

Item 18.1:

No permit revision will be required for operating changes that contravene an express permit

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term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.

Condition 19: Required Emissions Tests
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:

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 20: Required Emissions Tests
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 20.1:

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 21: Accidental release provisions.
Effective for entire length of Permit

Applicable Federal Requirement:40 CFR Part 68

Item 21.1:

If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in

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quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
 - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
 - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
C/O CSC
8400 Corporate Dr
Carrollton, Md. 20785

**Condition 22: Recycling and Emissions Reduction
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 82, Subpart F

Item 22.1:

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

The following conditions are subject to annual compliance certification requirements for Title V permits only.

**Condition 23: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 200.6

Item 23.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

The owner or operator shall evaluate the potential

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ambient impacts of oxides of nitrogen emitted from the existing engines located at the facility. The facility owner or operator shall quantify the NO_x emissions rates and estimate ambient impacts pursuant to a modeling protocol approved by the DEC.

1. No later than 1 year after the effective date of this permit, the owner or operator shall conduct NO_x emissions tests on emission points R001A, R002A, 24104 and 24105. Testing shall identify the NO:NO₂ ratio and be conducted in accordance with a protocol approved by the DEC and results of such testing shall be submitted no later than 60 days after the completion of such tests.

2. No later than 1 year after the effective date of this permit, the owner or operator shall submit to the Department a protocol to model ambient impacts of NO_x. The modeling shall use procedures acceptable to the Department.

3. No later than 30 days after receiving the Department's approval of the protocol, the owner or operator shall submit to the Department a report of such model results.

4. Emissions of NO_x shall not cause or contribute to predicted ambient impacts in excess of the one-hour NO₂ NAAQS.

Upper Permit Limit: 100 parts per billion by volume

Reference Test Method: DEC approved model

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

Condition 24: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 200.6

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000050-00-0 FORMALDEHYDE

Item 24.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

The owner or operator shall evaluate the potential ambient impacts of formaldehyde emitted from the existing engines located at the facility. The facility owner or operator shall quantify the formaldehyde emissions rates and estimate ambient impacts pursuant to a modeling protocol approved by the DEC.

1. The owner or operator shall conduct periodic formaldehyde emissions tests on emission points R001A, R002A, 24104 and 24105 at least once every five years. Testing shall be conducted in accordance with a protocol approved by the DEC and results of such testing shall be submitted no later than 60 days after the completion of such tests.
2. The owner or operator shall not cause or allow the emission of formaldehyde that will result in a predicted ambient impact in excess of (1) 30 micrograms per cubic meter, one hour average, or (2) 0.60 micrograms per cubic meter, annual average, based on the prior year's actual operating hours and operating load.
3. On an annual basis, the owner or operator shall submit to the DEC a report showing the actual operating hours and operating load for each engine, the associated emissions, and a modeling report showing the predicted ambient impacts of formaldehyde. Predicted ambient concentrations may be estimated by scaling the model results from modeling submitted previously for this facility.
4. If, based on actual hours of operation for the most recently completed calendar year, the predicted ambient impact of formaldehyde is in excess of 0.60 micrograms per cubic meter, annual average, the owner or operator shall undertake one or more of the following actions:
 - i) the owner or operator shall complete the installation of an oxidation catalyst on Unit 3A no later than December 31 of the following year (after submission of the modeling report showing predicted impacts in excess of the one hour or annual ambient guideline concentrations). Not later than 180 operating days after installation of the oxidation catalyst on Emission Source R003A, if required, the owner or operator shall conduct formaldehyde and CO emissions testing in accordance with a protocol approved by the DEC. Not later than 60 days after the completion of the formaldehyde testing, the owner or operator shall submit to the DEC a complete report of the results of such tests.

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ii) replace the catalyst on any one or all of Units 1A, 2A, and 3A such that emissions do not result in a predicted ambient impact in excess of (1) 30 micrograms per cubic meter, one hour average, or (2) 0.60 micrograms per cubic meter, annual average;

iii) not later than 2 years after submission of the modeling report required in Item 3 showing that predicted ambient concentrations exceed 0.60 micrograms per cubic meter, replacement of any or all of the existing engines (Units 1A, 2A and or 3A) with new engines or other sources of compression (such as electric compressors or stationary gas turbines) and associated controls

iv) not later than 2 years after submission of the modeling report required in Item 3 showing that predicted ambient concentrations exceed 0.60 micrograms per cubic meter, the installation of additional emission controls, either in addition to the controls that currently exist or a replacement in entirety, resulting in emissions that do not result in a predicted ambient impact in excess of (1) 30 micrograms per cubic meter, one hour average, or (2) 0.60 micrograms per cubic meter, annual average, based on the maximum potential operating hours and operating load.

5. If the performance of the oxidation catalysts on any unit degrades such that emissions of formaldehyde increase to the extent that predicted ambient impacts exceed 0.60 micrograms per cubic meter, that catalyst shall be replaced within 180 days of completion of such test results. After installation of the new catalyst, emissions of formaldehyde shall be tested in accordance with a protocol approved by the DEC and a test report submitted to the DEC within 60 days of completion of such tests.

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

Upper Permit Limit: 0.60 micrograms per cubic meter

Reference Test Method: DEC approved model

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ARITHMETIC MEAN

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

Condition 25: Emission Unit Definition

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Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 25.1:

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

Emission Unit: R-24101

Emission Unit Description:

TWO 3,400 HP CLARK, MODEL TLA-10
RECIPROCATING ENGINES (2SLB), EACH FIRING
NATURAL GAS AND RETROFITTED WITH LOW
EMISSIONS COMBUSTION KIT.

Building(s): 1

Item 25.2:

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

Emission Unit: R-24102

Emission Unit Description:

ONE 4,500 HP COOPER BESSEMER MODEL
10W-330C2 "CLEAN BURN" 2SLB RECIPROCATING
ENGINE THAT FIRES NATURAL GAS.
This device is rated at 4,500 hp at 80 F.
The maximum potential ambient rating is
5,220 hp at 40 F.

The Facility previously redesigned the
cylinder head, piston and pre-combustion
chamber to improve fuel economy and spark
plug life.

Building(s): 1

Item 25.3:

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

Emission Unit: R-24104

Emission Unit Description:

Caterpillar Model 3612 internal combustion engine (4
stroke, lean burn) rated at 3,785 hp.

Building(s): 2

Item 25.4:

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

Emission Unit: R-24105

Emission Unit Description:

Caterpillar Model 3612 internal combustion engine (4
stroke lean burn) rated at 3,785 HP

Building(s): 2

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**Condition 26: Progress Reports Due Semiannually
Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR 201-6.4 (d) (4)****Item 26.1:**

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 27: Capping Monitoring Condition
Effective for entire length of Permit****Applicable Federal Requirement: 6 NYCRR Subpart 201-7****Item 27.1:**

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:

40 CFR 52.21

Item 27.2:

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

Item 27.3:

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 27.4:

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 27.5:

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

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201 and of the Act.

Item 27.6:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 27.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

No owner or operator shall cause annual emissions of carbon monoxide from the combined emissions points 24104 and 24105 in excess of 100 tons per 12 month rolling basis.

Emissions from each emission point shall be computed according to the following equation:

CO emissions, TPY = (mass of CO emissions/bhp-hr)x(average bhp for each hour)x(operating hour).

The emissions factors (mass of CO per brake horsepower hour) shall be based on the most recent stack test (including results from the use of ASTM D6522-00) or on the highest emissions factor (based on testing) in that reporting period. The revised CO emissions factor must be used upon submission of the test report to the DEC.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether combined emissions were less than 100 tons per year for each 12 month rolling period in the reporting period. Additionally, in the event that emissions of CO exceed 100 TPY in any rolling 12 month period, the owner or operator shall, within 30 days of such excess emission, submit to the DEC a report of such excess emissions.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 100 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: 12-MONTH TOTAL, ROLLED MONTHLY

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Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 12 calendar month(s).

**Condition 28: Capping Monitoring Condition
 Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 28.1:

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 231-2

Item 28.2:

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

Item 28.3:

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 28.4:

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 28.5:

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 28.6:

The Compliance Certification activity will be performed for the facility:
 The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

Regulated Contaminant(s):

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

Permit ID: 7-3134-00022/00011

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Item 28.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner and/operator shall not cause or allow emissions of NOx in excess of 0.50 grams/bhp-hr. Emissions shall be determined using Reference Method 7E or ASTM D6522-00, or equivalent.

Performance tests must be conducted annually accordance with a test protocol approved by the DEC.

No later than 60 days after completion of any emissions tests, the owner or operator shall submit to the DEC a report describing the results of emissions testing.

On an annual basis, the owner or operator must submit to the DEC a report stating whether a performance test was conducted, and if so, state whether the emissions were less than the allowable emission limit.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.50 grams per brake horsepower-hour

Reference Test Method: ASTM D6522-00 or EPA 7E

Monitoring Frequency: ANNUALLY

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

**Condition 29: Capping Monitoring Condition
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 29.1:

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 231-2

Item 29.2:

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

Item 29.3:

The owner or operator of the permitted facility must maintain all required records on-site for a

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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 29.4:

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 29.5:

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 29.6:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 29.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner and/operator shall not cause or allow emissions of VOC in excess of 0.50 grams/bhp-hr. Emissions shall be determined using 40 CFR Part 60, Appendix A, Method 18, or equivalent.

Initial testing shall be conducted no later than 180 days after first combusting fuel, excluding the initial engine commissioning period of up to 200 operating hours. Testing shall be conducted in accordance with a test protocol approved by the DEC.

Subsequent performance tests must be conducted upon the request of the DEC.

Within 60 days after completion of any emissions tests, the owner or operator shall submit to the DEC a report describing the results of emissions testing.

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On an annual basis, the owner or operator must submit to the DEC a report stating whether a performance test was conducted, and if so, state whether the emissions were less than the allowable emission limit. The owner or operator must also state whether any changes were made to the operation of the device that could lead to increased VOC emissions.

Parameter Monitored: VOC

Upper Permit Limit: 0.50 grams per brake horsepower-hour

Reference Test Method: EPA Method 18 or equivalent

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

Condition 30: Visible Emissions Limited
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 211.2

Item 30.1:

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.

Condition 31: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 226-1.3

Item 31.1:

The Compliance Certification activity will be performed for the Facility.

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators conducting solvent cleaning processes must:

- (a) store solvent in covered containers and transfer or dispose of waste solvent in such a manner that less than 20 percent of the waste solvent (by weight) can evaporate into the atmosphere;
- (b) maintain equipment to minimize leaks and fugitive emissions;

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- (c) display at the equipment location a conspicuous summary of proper operating procedures consistent with minimizing emissions of VOCs;
- (d) keep the degreaser cover closed except when parts are being placed into or being removed from the degreaser, the cover needs to be open in order to remove solvent from the degreaser, no solvent is in the degreaser, or manually cleaning parts in a cold cleaning degreaser;
- (e) create and maintain a record of solvent consumption for five years. This record must be retained for five years and made available to the department upon request;
- (f) not clean sponges, fabric, wood, leather, paper products and other absorbent materials in a degreaser; and
- (g) if using a cold cleaning degreaser that is subject to paragraph 6 NYCRR 226-1.4(a)(4), retain a record of the following three items for five years and provide these records to the Department upon request. An invoice, bill of sale, a certificate covering multiple sales, manufacturers published information, or other appropriate documentation acceptable to the Department may be used to comply with this requirement:
 - (1) name and address of the solvent supplier;
 - (2) the type of solvent including the product or vendor identification number; and
 - (3) the VOC content of the cleaning solution in grams per liter (gm/l) or the vapor pressure of the solvent measured in mm Hg at 20 degrees Celsius (68 degrees Fahrenheit) as appropriate to verify compliance.

Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 12 calendar month(s).

Condition 32: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 226-1.4 (a)

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (a) Cold cleaning degreasing when the internal volume of the machine is greater than two gallons.
 - (1) A cover which can be operated easily.
 - (2) An internal drainage facility (under cover), if

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practical.

(3) A control system that limits VOC emissions to those achievable with equipment having a freeboard ratio greater than or equal to 0.5, or a water cover when the solvent is insoluble in and heavier than water. Remote reservoir degreasers are exempt from this requirement.

(4) Cleaning solution with a maximum VOC content of 25 grams per liter at 20°C; prior to December 1, 2020, a cleaning solution with a vapor pressure of 1.0 mm Hg, or less, at 20°C may be used to demonstrate compliance with this subdivision. This paragraph does not apply to degreasers:

- (i) used in special and extreme solvent cleaning;
- (ii) for which the owner or operator has received department approval of a demonstration that compliance with the requirement of a cleaning solution with a maximum VOC content of 25 grams per liter at 20°C, or with a vapor pressure of 1.0 mm Hg, or less, at 20°C will result in unsafe operating conditions; or
- (iii) that are located in a permanent total enclosure having control equipment that is designed and operated with an overall VOC removal efficiency of 90 percent or greater.

(5) Cleaning solution used to clean post-solder printed circuit boards (PCB's) as well as critical adjunct processes, including the cleaning of raw solder paste and adhesives from hard surfaces, such as stencils and misprinted boards during the printing process, and baked on fluxes (polymerized fluxes) from reflow and wave solder oven components, such as conveyor fingers and condensation traps, may contain no more than 150 grams VOC per liter of solution and must follow all other provisions of this Subpart.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

Condition 33: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 226-1.5 (a)

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC

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OPERATIONS

Monitoring Description:

For cold cleaning degreasing, the clean parts shall be drained at least 15 seconds or until dripping ceases.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DEGREASING UNITS

Parameter Monitored: DURATION

Lower Permit Limit: 15 seconds

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

**Condition 34: Compliance Certification
Effective for entire length of Permit**

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

Item 34.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: R-24101

Emission Unit: R-24102

Emission Unit: R-24104

Emission Unit: R-24105

Item 34.2:

Compliance Certification 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.

The owner or operator shall conduct opacity observations according to 40 CFR Part 60, Appendix A, RM 9 upon request of the DEC. Results of such testing shall be submitted to the DEC within 30 days of concluding such tests.

On a semi-annual basis, the owner or operator shall submit to the DEC a report stating whether such testing was conducted and if so, stating the results of such testing.

Parameter Monitored: OPACITY

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

Condition 35: Compliance Certification
Effective for entire length of Permit

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

Item 35.1:
The Compliance Certification activity will be performed for the Facility.

Item 35.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The owner or operator of each small boiler (with a maximum heat input capacity equal to or greater than 1 million Btu/hr but less than 25 million Btu/hr) must perform an annual tune up in accordance with the DEC's DAR-5 guidance document. Records of each tune up must be kept on site for a minimum of 5 years.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 36: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 227-2.4 (f) (1)

Item 36.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: R-24101 Emission Point: R001A

Emission Unit: R-24101 Emission Point: R002A

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

Item 36.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:

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1. The owner or operator of the two Clark Engines shall not cause or allow emissions of NOx in excess of 1.5 grams/bhp-hr.
2. On an annual basis, or at a more frequent basis, the owner or operator shall conduct emission tests for NOx. Such testing shall be conducted using ASTM D6522-00 or equivalent, in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the tests and the final report is due within 60 days of completion of such tests.
3. On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 1.5 grams per brake horsepower-hour
 Reference Test Method: ASTM D6522-0
 Monitoring Frequency: ANNUALLY
 Averaging Method: 1-HOUR AVERAGE
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 12 calendar month(s).

Condition 37: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6600, Subpart ZZZZ

Item 37.1:

The Compliance Certification activity will be performed for the facility:
 The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

Item 37.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Pursuant to 40 CFR 63.6600(b) and Table 2b of that regulation, the owner or operator must maintain the catalyst in each engine so that the pressure drop across the catalyst does not change by more than two inches of water at 100 percent load plus or minus 10 percent from the pressure drop across the catalyst that was measured

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during the initial performance test. The pressure drop must be measured at least once per month.

On a semi-annual basis, the owner or operator shall submit to the DEC a report stating whether he or she has complied with this requirement. Deviations are required to be reported to the DEC as described elsewhere in this permit.

Parameter Monitored: PRESSURE DROP
 Upper Permit Limit: 10 percent
 Monitoring Frequency: MONTHLY
 Averaging Method: RANGE - NOT TO FALL OUTSIDE OF STATED RANGE AT ANY TIME
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 Subsequent reports are due every 6 calendar month(s).

**Condition 38: Compliance Certification
 Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.6600, Subpart ZZZZ

Item 38.1:

The Compliance Certification activity will be performed for the facility:
 The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

Item 38.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Pursuant to 40 CFR 63.6600(b) and Table 2b of that regulation, the owner or operator must maintain the temperature of each engine exhaust so that the catalyst inlet temperature is greater than or equal to 450 degrees F and less than or equal to 1350 degrees F. The averaging period is a rolling four hour period.

On a semi-annual basis, the owner or operator shall submit to the DEC a report stating whether he or she has complied with this requirement. Deviations are required to be reported to the DEC as described elsewhere in this permit.

Parameter Monitored: TEMPERATURE

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Lower Permit Limit: 450 degrees Fahrenheit
Upper Permit Limit: 1350 degrees Fahrenheit
Monitoring Frequency: CONTINUOUS
Averaging Method: 4-HOUR ROLLING AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 39: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6600, Subpart ZZZZ

Item 39.1:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

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

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

(1) The Caterpillar G3612 engines, Emission Units R24104 and R24105, are subject to the requirements of 40 CFR 63.6600, Table 2a and Table 2b. Emissions of carbon monoxide must be reduced by 93% or more, on a dry volume basis when corrected to 15%O₂.

Pursuant to 40 CFR 63.6605, this limit applies at all times except during periods of startup, shutdown or malfunction. The owner or operator must maintain and operate the engines, air pollution control equipment and monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions at all times, including during startup, shutdown and malfunction.

(2) Compliance shall be determined through emissions testing using either ASTM D6522-00 (portable analyzers) or 40 CFR Part 60, Appendix A, Methods 3A and 10. The owner or operator must comply with the procedures in 40 CFR 63.6620(a)-(e) and (i).

(3) Pursuant to 40 CFR 63.6610 and 40 CFR 63.7(a)(2), the owner or operator must conduct emissions tests on each

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engine semi-annually, except as follows: after demonstrating compliance for two consecutive semi-annual tests, the owner or operator may test emissions annually. If the results from any test show non-compliance, the engines must then be tested semi-annually.

(4) Pursuant to 40 CFR 63.7, the owner or operator must notify the EPA and the DEC of his or her intention to conduct each performance test at least 60 days before the performance test is initially scheduled to begin. The owner or operator shall submit to the DEC and the EPA a site-specific test plan at least 60 days before the test is to commence. Results of each test shall be submitted to the DEC and the EPA no later than 60 days after the completion of each performance test.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether he or she complied with this condition. Deviations are required to be reported to the DEC as described elsewhere in this permit.

Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 93 percent reduction by volume
Reference Test Method: ASTM D6522-00 or equivalent
Monitoring Frequency: ANNUALLY
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 40: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6602, Subpart ZZZZ

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

This condition applies to an emergency generator at the site.

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The owner or operator must:

1. Change the oil and filter every 500 hours of operation or annually, whichever comes first. Alternatively, the owner or operator shall institute an oil analysis program as described in 40 CFR 63.6625(j).
2. Inspect the spark plugs every 1000 hours or annually, whichever comes first;
3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
4. Operate and maintain, according to the manufacturer's emission-related written instructions or develop a maintenance plan to provide for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
5. Install a non-resettable hour meter.
6. Minimize idle time during startup. Not to exceed 30 minutes for each startup event.
7. There is no time limit on the use of emergency stationary RICE in emergency situations.
8. The owner or operator may operate the emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that Federal, State, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.
9. The owner or operator may operate the emergency stationary RICE up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another

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entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph (f)(1)(iii), as long as the power provided by the financial arrangement is limited to emergency power.

9. Keep records of maintenance conducted to demonstrate compliance in accordance with 40 CFR 63.6625(e)(2).

10. Keep records of the hours of operation recorded through the non-resettable hour meter and document hours spent for emergency and non-emergency operation.

11. Keep records readily accessible in hard copy or electronic form for at least 5 years.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 100 hours

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL TOTAL

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

Condition 41: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6640, Subpart ZZZZ

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Item 41.2:

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Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

(1) The owner or operator must report each instance in which the emission units did not meet each emission limitation or operating limitation in Tables 2a and 2b. Deviations must be reported according to the requirements in 40 CFR 63.6650. If the catalyst is changed, the values of the operating parameters measured during the initial performance test must be re-established by conducting a performance test (as soon as practical after such change) to demonstrate that the engines are meeting the required emission limitation.

(2) The owner or operator must also report each instance in which an affected engine did not meet the requirements in Table 8 of 40 CFR Part 63, Subpart ZZZZ (listing the General Provisions of 40 CFR Part 63).

(5) On an annual basis, the owner or operator shall submit to the DEC a report stating whether he or she complied with this requirement for the just completed reporting period.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

Condition 42: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6645, Subpart ZZZZ

Item 42.1:

The Compliance Certification activity will be performed for the Facility.

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

MACT NOTIFICATIONS

Both the General Provisions of 40 CFR Part 63 and the regulations under the RICE standard, 40 CFR Part 63 Subpart ZZZZ, have testing and notification requirements. These regulations require that performance tests and continuous monitoring system (CMS) performance evaluations be conducted, and require the owner or operator to submit

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notifications of the dates when these tests are to be conducted. When the notifications are submitted, site-specific protocols are also required to be submitted. The test results are due 60 days after completion.

(1) Pursuant to 40 CFR 63.9(b)(4)(v), the owner or operator must submit to the DEC and the EPA a notification of the actual date of startup, delivered or postmarked within 15 calendar days of that date.

(2) Pursuant to 40 CFR 63.8(c)(3), all CMS shall be installed, operational, and the data verified either prior to or in conjunction with conducting the performance tests under 40 CFR 63.7.

(3) Pursuant to 40 CFR 63.6645(c) and 40 CFR 63.9(b)(4), the owner or operator must submit an Initial Notification not later than 120 days after becoming subject to 40 CFR Part 63, Subpart ZZZZ.

(4) Pursuant to 40 CFR 63.45(e), 63.7(b)(1) and 63.9(e), the owner or operator must submit to the DEC and the EPA a Notification of Intent to conduct a performance test. Such notification shall be submitted at least 60 days before the performance test is scheduled to begin.

(5) Pursuant to 40 CFR 63.7(b)(2), the owner or operator shall submit to the DEC and the EPA a site specific test plan. Such report shall be submitted no later than 60 days before the performance test is to take place (simultaneously with the Notification of Intent to test).

(6) Pursuant to 40 CFR 63.8(e)(2) and 40 CFR 63.6625(b), the owner or operator shall submit to the DEC and the EPA a notification of the date of the continuous monitoring systems performance evaluation. Such notification shall be submitted no later than 60 days prior to conducting the evaluation.

(7) Pursuant to 40 CFR 63.8(e)(3)(iii), the owner or operator shall submit to the DEC and the EPA a site specific performance evaluation test plan for the continuous monitoring systems at the facility. Such plan shall be submitted at least 60 days before the performance evaluation is to be conducted, simultaneously with the notification.

(8) Pursuant to 40 CFR 63.6645(f) and 63.9, the owner or operator must submit a Notification of Compliance Status as follows:

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(i) For each initial compliance demonstration required in Table 5 of 40 CFR Part 63, Subpart ZZZZ that does not include a performance test, the owner or operator must submit the Notification of Compliance Status before the close of business on the 30th day following the completion of the initial compliance demonstration; and

(ii) For each initial compliance demonstration required in Table 5 of 40 CFR Part 63, Subpart ZZZZ that includes a performance test conducted according to the requirements in Table 4 to this subpart, the owner or operator must submit the Notification of Compliance Status, including the performance test results, before the close of business on the 60th day following the completion of the performance test according to 40 CFR 63.10(d)(2) and 40 CFR 63.7(g).

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 43: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 63.6655, Subpart ZZZZ

Item 43.1:

The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: R-24104

Emission Unit: R-24105

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

MACT RECORDS

The owner or operator must keep the following records:

(1) A copy of each notification and report that you submitted to comply with this subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status that was submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).

(2) Records of performance tests and performance

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evaluations as required in Sec. 63.10(b)(2)(viii).

For each CEMS or CPMS, the owner or operator must keep:

- (1) Records described in 40 CFR 63.10(b)(2)(vi) through (xi).
- (2) Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 CFR 63.8(d)(3).

The owner or operator must keep the records of catalyst inlet temperature (four hour rolling averages) and records of the monthly measurement of pressure drop across the catalyst.

On an annual basis, the owner or operator shall submit to the DEC a report stating whether he or she complied with this condition.

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

**Condition 44: Emission Point Definition By Emission Unit
 Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 44.1:

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

Emission Unit: R-24101

Emission Point: R001A
 Height (ft.): 59 Diameter (in.): 36
 NYTMN (km.): 4754.685 NYTME (km.): 408.907 Building: 1

Emission Point: R002A
 Height (ft.): 53 Diameter (in.): 28
 NYTMN (km.): 4754.68 NYTME (km.): 408.913 Building: 1

Item 44.2:

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

Emission Unit: R-24102

Emission Point: R003A
 Height (ft.): 52 Diameter (in.): 54
 NYTMN (km.): 4754.676 NYTME (km.): 408.921 Building: 1

Item 44.3:

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

Emission Unit: R-24104

Emission Point: 24104

Height (ft.): 55

Diameter (in.): 32

NYTMN (km.): 4754.673 NYTME (km.): 408.927

Item 44.4:

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

Emission Unit: R-24105

Emission Point: 24105

Height (ft.): 55

Diameter (in.): 32

NYTMN (km.): 4754.669 NYTME (km.): 408.934 Building: 1

**Condition 45: Process Definition By Emission Unit
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 45.1:

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

Emission Unit: R-24101

Process: RC1

Source Classification Code: 2-02-002-02

Process Description: Two 3,400 hp Clark TLA-10 reciprocating engines.

Emission Source/Control: 0R01A - Combustion

Emission Source/Control: 0R02A - Combustion

Emission Source/Control: 0R02C - Control

Control Type: CATALYTIC OXIDATION

Emission Source/Control: 0R02D - Control

Control Type: CATALYTIC OXIDATION

Item 45.2:

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

Emission Unit: R-24102

Process: RC2

Source Classification Code: 2-02-002-02

Process Description:

One 4,500 hp Cooper Bessemer 10W-330C2 Engine. This device is rated at 4,500 hp at 80 F. The maximum potential ambient rating is 5,220 hp at 40 F.

Emission Source/Control: 0R03A - Combustion

Item 45.3:

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

Emission Unit: R-24104
Process: RC3 Source Classification Code: 2-02-002-54
Process Description:
4 Stroke lean burn internal combustion engine - natural gas fired

Emission Source/Control: 0R04A - Combustion
Design Capacity: 3,785 horsepower (mechanical)

Emission Source/Control: 0R04C - Control
Control Type: CATALYTIC OXIDATION

Item 45.4:

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

Emission Unit: R-24105
Process: RC4 Source Classification Code: 2-02-002-54
Process Description:
4 stroke lean burn internal combustion engine - natural gas fired

Emission Source/Control: 0R05A - Combustion
Design Capacity: 3,785 horsepower (mechanical)

**Condition 46: Emission Unit Permissible Emissions
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-7

Item 46.1:

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: R-24104

CAS No: 000630-08-0
Name: CARBON MONOXIDE
PTE(s): 1.6 pounds per hour

14,071 pounds per year

Emission Unit: R-24105

CAS No: 000630-08-0
Name: CARBON MONOXIDE
PTE(s): 1.6 pounds per hour

14,071 pounds per year

Emission Unit: R-24104

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CAS No: 0NY210-00-0
 Name: OXIDES OF NITROGEN
 PTE(s): 4.2 pounds per hour
 36,800 pounds per year

Emission Unit: R-24105

CAS No: 0NY210-00-0
 Name: OXIDES OF NITROGEN
 PTE(s): 4.2 pounds per hour
 36,800 pounds per year

Emission Unit: R-24104

CAS No: 0NY998-00-0
 Name: VOC
 PTE(s): 4.1 pounds per hour
 36,183 pounds per year

Emission Unit: R-24105

CAS No: 0NY998-00-0
 Name: VOC
 PTE(s): 4.1 pounds per hour
 36,183 pounds per year

**Condition 47: Capping Monitoring Condition
 Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 47.1:

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:

40 CFR 52.21

Item 47.2:

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

Item 47.3:

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 47.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of

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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 47.5:

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 47.6:

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

Regulated Contaminant(s):

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

Item 47.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Periodic Monitoring for Compliance with NO_x RACT
 On an annual basis, or at a more frequent basis, the owner or operator shall conduct emission tests for NO_x. Such testing shall be conducted using ASTM D6522-00 or equivalent, in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the tests and the final report is due within 60 days of completion of such tests.

On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: ASTM D6522-0

Monitoring Frequency: ANNUALLY

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

**Condition 48: Capping Monitoring Condition
 Effective for entire length of Permit**

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

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Item 48.1:

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:

40 CFR 52.21

Item 48.2:

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

Item 48.3:

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 48.4:

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 48.5:

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 48.6:

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

Regulated Contaminant(s):

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

Item 48.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

In order to avoid PSD, the operation of Unit 3A shall not exceed 8040 hours of operation per year, based on a 12 month rolling average. The facility must record and update daily the 12 month rolling total hours of

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operation. These records must be made available upon request by the DEC.

On a semiannual basis, the owners or operators must submit to the DEC a report stating whether such monitoring was conducted.

On an annual basis, the applicant must state whether it has complied with this requirement. Additionally, in the event that the engine is operated in excess of 8040 hours in any 12 month period, the owners or operators must submit to the DEC a report stating such occurrence within 48 hours of exceeding that limit.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 8040 hours per year

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 49: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: R-24102

Regulated Contaminant(s):

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

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Compliance Testing

The owners or operators must not allow the operation of Unit 3A to emit oxides of nitrogen in excess of 1.0 gram per brake horsepower-hour.

Compliance shall be determined using 40 CFR Part 60, Appendix A, Method 7E. Testing shall be conducted in accordance with a protocol approved by the DEC. Submission of the protocol and the final test report shall be in accordance with 6 NYCRR 202-1. The protocol shall be submitted at least 30 days prior to conducting the

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tests and the final report is due within 60 days of completion of such tests.

Testing shall be conducted once per permit term and at any other time upon written notification from the DEC.

On an annual basis, the owners or operators shall submit to the DEC a report stating whether any testing has been conducted, and if so, the results of such testing.

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: EPA Method 7E

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

Subsequent reports are due every 12 calendar month(s).

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STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

(1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;

(3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item B: 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

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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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 50: Contaminant List
Effective for entire length of Permit

Applicable State Requirement: ECL 19-0301

Item 50.1:

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

CAS No: 000050-00-0
Name: FORMALDEHYDE

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

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

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

Condition 51: Malfunctions and start-up/shutdown activities
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 201-1.4

Item 51.1:

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the

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emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

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

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

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

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

Condition 52: CLCPA Applicability
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 201-6.5 (a)

Item 52.1:

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

Condition 53: Air pollution prohibited
Effective for entire length of Permit

Applicable State Requirement:6 NYCRR 211.1

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Item 53.1:

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.

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