



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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 8-0704-00004/02001  
Effective Date: 02/01/2008                      Expiration Date: No expiration date

Permit Issued To: ARNOT OGDEN MEDICAL CENTER  
600 ROE AVE  
ELMIRA, NY 14905

Contact: MONTE R ANDERSON  
ARNOT OGDEN MEDICAL CENTER  
600 ROE AVE  
ELMIRA, NY 14905  
(607) 737-4212

Facility: ARNOT OGDEN MEDICAL CENTER  
600 ROE AVE  
ELMIRA, NY 14905

Description:  
Initial Air State Facility Permit for an existing facility. This permit replaces the previous registration which employed a cap by rule. The facility has converted all boilers to natural gas operation. It will continue to operate one gas fired 16.3 mmBtu per hour boiler and one gas fired 27.6 mmBtu per hour boiler. The existing gas fired 18.3 mmBtu per hour boiler will be removed upon installation and operation of a new 21.5 mmBtu per hour wood fired bio-mass boiler. The facility will have 3 (three) emission units for a total heat input of 65.4 mmBtu per hour. Potential emissions are below the thresholds which defines a major source in 6 NYCRR Part 201-2.1(b)(21). Contaminants emitted include NO<sub>x</sub>, SO<sub>x</sub>, CO, VOC and particulates.

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: PETER A LENT  
DIVISION OF ENVIRONMENTAL PERMITS  
6274 EAST AVON LIMA RD  
AVON, NY 14414-9519

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_



### Notification of Other State Permittee Obligations

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

**Item B: Permittee's Contractors to Comply with Permit**

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

**Item C: Permittee Responsible for Obtaining Other Required Permits**

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

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

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



## LIST OF CONDITIONS

### DEC GENERAL CONDITIONS

#### General Provisions

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

#### Facility Level

Submission of application for permit modification or renewal-REGION 8  
HEADQUARTERS



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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

**Item 2.1:**

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

**Condition 3: Applications for permit renewals, modifications and transfers**  
**Applicable State Requirement: 6NYCRR 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 expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

**Item 3.3:**

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



submitted prior to actual transfer of ownership.

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

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

**Condition 5: Submission of application for permit modification or renewal-REGION 8 HEADQUARTERS**  
**Applicable State Requirement: 6NYCRR 621.6(a)**

**Item 5.1:**

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

NYSDEC Regional Permit Administrator  
Region 8 Headquarters  
Division of Environmental Permits  
6274 Avon-Lima Road  
Avon, NY 14414-9519  
(716) 226-2466



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

**ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY  
PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: ARNOT OGDEN MEDICAL CENTER  
600 ROE AVE  
ELMIRA, NY 14905

Facility: ARNOT OGDEN MEDICAL CENTER  
600 ROE AVE  
ELMIRA, NY 14905

Authorized Activity By Standard Industrial Classification Code:  
8062 - GENERAL MEDICAL & SURGICAL HOSPITALS

Permit Effective Date: 02/01/2008  
date.

Permit Expiration Date: No expiration  
date.



## LIST OF CONDITIONS

### DEC GENERAL CONDITIONS

#### General Provisions

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

#### Facility Level

Submission of application for permit modification or renewal-REGION 8  
HEADQUARTERS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

- 1 6NYCRR 211.3: Visible Emissions Limited
- 2 6NYCRR 211.3: Compliance Demonstration
- 3 6NYCRR 225-1.2(a)(2): Compliance Demonstration

#### Emission Unit Level

##### EU=C-00001,Proc=0C1

- 4 40CFR 60.7(a), NSPS Subpart A: Modification Notification
- 5 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 6 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or Local Agency
- 7 40CFR 60.9, NSPS Subpart A: Availability of information.
- 8 40CFR 60.12, NSPS Subpart A: Circumvention.
- 9 40CFR 60.14, NSPS Subpart A: Modifications.
- 10 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 11 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this emission source
- 12 40CFR 60.47c(c), NSPS Subpart Dc: Emissions monitoring
- 13 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration

##### EU=C-00004

- 14 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 15 40CFR 60.4, NSPS Subpart A: Duplicate copies of all correspondence must be sent to the regional NYSDEC office.
- 16 40CFR 60.7(a), NSPS Subpart A: Modification Notification
- 17 40CFR 60.7(g), NSPS Subpart A: Notification Similar to State or Local Agency
- 18 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 19 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 20 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 21 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 22 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 23 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 24 40CFR 60.9, NSPS Subpart A: Availability of information.
- 25 40CFR 60.12, NSPS Subpart A: Circumvention.
- 26 40CFR 60.14, NSPS Subpart A: Modifications.
- 27 40CFR 60.15, NSPS Subpart A: Reconstruction.



- 28 40CFR 60.40c, NSPS Subpart Dc: Applicability of this Subpart to this emission source
- 29 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 30 40CFR 60.48c(g), NSPS Subpart Dc: Compliance Demonstration

**EU=C-00004,Proc=0C4**

- 31 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.

**EU=C-00004,EP=00004**

- 32 6NYCRR 227-1.2(a)(4): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 33 ECL 19-0301: Contaminant List
- 34 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 35 6NYCRR 201-5: Emission Unit Definition
- 36 6NYCRR 211.2: Air pollution prohibited

**Emission Unit Level**

- 37 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 38 6NYCRR 201-5: Process Definition By Emission Unit





**FEDERALLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Sealing - 6NYCRR Part 200.5**

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation.

Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

**Item B: Acceptable Ambient Air Quality - 6NYCRR Part 200.6**

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

**Item C: Maintenance of Equipment - 6NYCRR Part 200.7**

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



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

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

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

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

**Item E: Emergency Defense - 6NYCRR Part 201-1.5**

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

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

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

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

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

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

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

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



**Item F: Recycling and Salvage - 6NYCRR Part 201-1.7**

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

**Item G: Prohibition of Reintroduction of Collected Contaminants to the Air - 6NYCRR Part 201-1.8**

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

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

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

**Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)**

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

**Item J: Required Emission Tests - 6 NYCRR Part 202-1.1**

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air



pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

**Item K: Visible Emissions Limited - 6 NYCRR Part 211.3**

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

**Item L: Open Fires - 6 NYCRR Part 215**

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

**Item M: Permit Exclusion - ECL 19-0305**

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

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

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

**FEDERAL APPLICABLE REQUIREMENTS**



**The following conditions are federally enforceable.**

**Condition 1: Visible Emissions Limited**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:6NYCRR 211.3**

**Item 1.1:**

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 2: Compliance Demonstration**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:6NYCRR 211.3**

**Item 2.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Except as permitted by a specific part of Title 6 of the NYCRR, 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.

Operators of air contamination sources that are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

1) Observe the stack(s) or vent(s) once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:

- weather condition
- was a plume observed?



This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days, then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

\*\* NOTE \*\* Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 3.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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



Work Practice Type: PARAMETER OF PROCESS MATERIAL  
Process Material: WOOD  
Parameter Monitored: SULFUR CONTENT  
Upper Permit Limit: 2.5 pounds per million Btus  
Reference Test Method: ASTM E870-82  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 4: Modification Notification**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 4.1:**

This Condition applies to Emission Unit: C-00001  
Process: 0C1

**Item 4.2:**

Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

**Condition 5: Recordkeeping requirements.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 5.1:**

This Condition applies to Emission Unit: C-00001  
Process: 0C1

**Item 5.2:**

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

**Condition 6: Notification Similar to State or Local Agency**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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



**Item 6.1:**

This Condition applies to Emission Unit: C-00001  
Process: OC1

**Item 6.2:**

If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

**Condition 7: Availability of information.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A**

**Item 7.1:**

This Condition applies to Emission Unit: C-00001  
Process: OC1

**Item 7.2:**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

**Condition 8: Circumvention.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 8.1:**

This Condition applies to Emission Unit: C-00001  
Process: OC1

**Item 8.2:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 9: Modifications.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

**Item 9.1:**

This Condition applies to Emission Unit: C-00001  
Process: OC1

**Item 9.2:**

Within 180 days of the completion of any physical or operational change (as defined in





section 60.14), compliance with the applicable standards must be achieved.

**Condition 10: Reconstruction.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A**

**Item 10.1:**

This Condition applies to Emission Unit: C-00001  
Process: OC1

**Item 10.2:**

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

**Condition 11: Applicability of this Subpart to this emission source**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.40c, NSPS Subpart Dc**

**Item 11.1:**

This Condition applies to Emission Unit: C-00001  
Process: OC1

**Item 11.2:**

This emission source is subject to the applicable General Provisions of 40 CFR 60 Subpart Dc. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

**Condition 12: Emissions monitoring**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**



**Applicable Federal Requirement:40CFR 60.47c(c), NSPS Subpart Dc**

**Item 12.1:**

This Condition applies to Emission Unit: C-00001  
Process: 0C1

**Item 12.2:** Affected facilities that burn only distillate oil that contains no more than 0.5 weight percent sulfur and/or liquid or gaseous fuels with potential sulfur dioxide emission rates of 26 ng/J (0.06 lb/MMBtu) heat input or less and that do not use a post-combustion technology to reduce SO<sub>2</sub> or PM emissions are not required to operate a CEMS for measuring opacity if they follow the applicable procedures under 40 CFR 60.48c(f).

**Condition 13: Compliance Demonstration**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 13.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: C-00001  
Process: 0C1

**Item 13.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 14: EPA Region 2 address.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A**

**Item 14.1:**

This Condition applies to Emission Unit: C-00004

**Item 14.2:**

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance  
USEPA Region 2  
290 Broadway, 21st Floor



New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC  
Bureau of Quality Assurance  
625 Broadway  
Albany, NY 12233-3258

**Condition 15: Duplicate copies of all correspondence must be sent to the regional NYSDEC office.  
Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A**

**Item 15.1:**

This Condition applies to Emission Unit: C-00004

**Item 15.2:**

All requests, reports, applications, submittals, and other communications to the administrator pursuant to this part shall be submitted in duplicate to the regional NYSDEC office issuing this permit.

**Condition 16: Modification Notification  
Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 16.1:**

This Condition applies to Emission Unit: C-00004

**Item 16.2:**

Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be post marked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

**Condition 17: Notification Similar to State or Local Agency  
Effective between the dates of 02/01/2008 and Permit Expiration Date**

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



**Item 17.1:**

This Condition applies to Emission Unit: C-00004

**Item 17.2:**

If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

**Condition 18: Performance testing timeline.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 18.1:**

This Condition applies to Emission Unit: C-00004

**Item 18.2:**

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

**Condition 19: Performance test methods.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 19.1:**

This Condition applies to Emission Unit: C-00004

**Item 19.2:**

Performance testing shall be conducted in accordance with the methods and procedures prescribed in this part or by alternative methods and procedures approved by the Administrator.

**Condition 20: Required performance test information.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 20.1:**

This Condition applies to Emission Unit: C-00004

**Item 20.2:**

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

**Condition 21: Prior notice.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**



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

**Item 21.1:**

This Condition applies to Emission Unit: C-00004

**Item 21.2:**

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

**Condition 22: Performance testing facilities.**

**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 22.1:**

This Condition applies to Emission Unit: C-00004

**Item 22.2:**

The following performance testing facilities shall be provided during all tests:

- 1) sampling ports adequate for tests methods applicable to such facility;
- 2) a safe sampling platform;
- 3) a safe access to the sampling platform; and
- 4) utilities for sampling and testing equipment.

**Condition 23: Number of required tests.**

**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 23.1:**

This Condition applies to Emission Unit: C-00004

**Item 23.2:**

Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

**Condition 24: Availability of information.**

**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A**

**Item 24.1:**

This Condition applies to Emission Unit: C-00004



**Item 24.2:**

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.

**Condition 25: Circumvention.**

**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A**

**Item 25.1:**

This Condition applies to Emission Unit: C-00004

**Item 25.2:**

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

**Condition 26: Modifications.**

**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A**

**Item 26.1:**

This Condition applies to Emission Unit: C-00004

**Item 26.2:**

Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

**Condition 27: Reconstruction.**

**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A**

**Item 27.1:**

This Condition applies to Emission Unit: C-00004

**Item 27.2:**

The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;





notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 30: Compliance Demonstration**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 30.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: C-00004

**Item 30.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Monitoring Frequency: DAILY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 31: Recordkeeping requirements.**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 31.1:**

This Condition applies to Emission Unit: C-00004  
Process: 0C4

**Item 31.2:**

Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction





of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

**Condition 32: Compliance Demonstration**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 32.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: C-00004                      Emission Point: 00004

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

**Item 32.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit derived as per Table 1 per equation  $E=1.0/p^{0.22}$ . Stack testing to verify compliance will be completed within 180 days of startup of boiler. Additional stack testing will be performed upon request of Department staff.

Upper Permit Limit: 0.51 pounds per million Btus

Reference Test Method: 40 CFR 60 App A Method 5

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**



**Condition 33: Contaminant List**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable State Requirement:ECL 19-0301**

**Item 33.1:**

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

CAS No: 0NY075-00-0

Name: PARTICULATES

**Condition 34: Unavoidable noncompliance and violations**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 34.1:**

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

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

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

(c) The Department may also require the owner and/or operator to include in reports



described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

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

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

**Condition 35: Emission Unit Definition  
Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 35.1:**

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

Emission Unit: C-00001

Emission Unit Description:

Boiler (00EG1): 16,329,300 Btu per hour natural gas input rating. Boiler (00EG2): 27,594,000 Btu per hour natural gas input rating.

Building(s): EB1

**Item 35.2:**

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

Emission Unit: C-00003

Emission Unit Description:

Boiler (00EG3): 18,340,000 Btu per hour natural gas input rating with a dedicated stack. This boiler and dedicated stack will be removed upon the installation and operation of the Bio-mass boiler.

Building(s): EB1

**Item 35.3:**

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

Emission Unit: C-00004

Emission Unit Description:

Wood fired bio-mass boiler (00WB4) rated at 21.5 mmBtu per hour, with dedicated stack, mechanical collector (multi-cyclone) (00S4) and storage of wood chips inside the bio-mass boiler building.

Building(s): BM1



**Condition 36: Air pollution prohibited**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

**Applicable State Requirement:6NYCRR 211.2**

**Item 36.1:**

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

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

**Condition 37: Emission Point Definition By Emission Unit**  
**Effective between the dates of 02/01/2008 and Permit Expiration Date**

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

**Item 37.1:**

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

Emission Unit: C-00001

Emission Point: 00001

Height (ft.): 130

Diameter (in.): 60

Building: EB1

**Item 37.2:**

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

Emission Unit: C-00003

Emission Point: 00003

Height (ft.): 50

Diameter (in.): 24

Building: EB1

**Item 37.3:**

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

Emission Unit: C-00004

Emission Point: 00004

Height (ft.): 50

Diameter (in.): 30

Building: BM1

**Condition 38: Process Definition By Emission Unit**



Effective between the dates of 02/01/2008 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

**Item 38.1:**

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

Emission Unit: C-00001

Process: 0C1

Source Classification Code: 1-01-006-02

Process Description:

Process 0C1 is the operation of an existing 16.3 mmBtu gas fired boiler.

Emission Source/Control: 00EG1 - Combustion

Design Capacity: 16.3 million Btu per hour

**Item 38.2:**

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

Emission Unit: C-00001

Process: 0C2

Source Classification Code: 1-01-006-02

Process Description:

Process 0C2 is the operation of an existing 27.6 mmBtu gas fired boiler.

Emission Source/Control: 00EG2 - Combustion

Design Capacity: 27.6 million Btu per hour

**Item 38.3:**

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

Emission Unit: C-00003

Process: 0C3

Source Classification Code: 1-01-006-02

Process Description:

Process 0C3 is the operation of a 18.3 mmBtu gas fired boiler. This boiler will be decommissioned and removed upon the installation and operation of the new bio-mass boiler.

Emission Source/Control: 00EG3 - Combustion

Design Capacity: 18.3 million Btu per hour

**Item 38.4:**

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

Emission Unit: C-00004

Process: 0C4

Source Classification Code: 1-03-009-03

Process Description:

Process 0C4 is the operation of a 21.5 mmBtu wood fired Bio-mass boiler.

Emission Source/Control: 00WB4 - Combustion

Design Capacity: 21.5 million Btu per hour



Emission Source/Control: 000S4 - Control

Control Type: MULTIPLE CYCLONE W/O FLY ASH INJECTION

