



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-2614-00242/00049
Effective Date: 12/06/2016 Expiration Date: 12/05/2026

Permit Issued To: HIGH FALLS OPERATING CO LLC
445 ST PAUL ST
ROCHESTER, NY 14605

Facility: HIGH FALLS OPERATING CO
445 ST PAUL ST
ROCHESTER, NY 14605

Contact: MARK MINNUNI
HIGH FALLS BREWING CO
445 ST PAUL ST
ROCHESTER, NY 14605
(585) 263-9265

Description:
Initial Air State Facility Permit for an existing brewery facility that previously operated under Certificates to Operate. Emissions are from brewhouse operations and a natural gas boiler, which has a capacity to use #6 fuel oil. This facility is under a federally enforceable emissions cap that limits NOx and SOx to less than 100-tons per year. Record-keeping of the quantities of the natural gas and #6 fuel oil burned is required to verify compliance. The facility emission caps will ensure that the emission thresholds for a major source of air contamination are not exceeded.

New York State Department of Environmental Conservation
Facility DEC ID: 8261400242



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: KIMBERLY A MERCHANT
 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: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3

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



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

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 8 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 8 Headquarters
Division of Environmental Permits
6274 Avon-Lima Road
Avon, NY 14414-9519
(585) 226-2466

New York State Department of Environmental Conservation

Permit ID: 8-2614-00242/00049

Facility DEC ID: 8261400242



Permit Under the Environmental Conservation Law (ECL)

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

IDENTIFICATION INFORMATION

Permit Issued To: HIGH FALLS OPERATING CO LLC
445 ST PAUL ST
ROCHESTER, NY 14605

Facility: HIGH FALLS OPERATING CO
445 ST PAUL ST
ROCHESTER, NY 14605

Authorized Activity By Standard Industrial Classification Code:
2082 - MALT BEVERAGES

Permit Effective Date: 12/06/2016

Permit Expiration Date: 12/05/2026



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 201-7.1: Facility Permissible Emissions
- *2 6 NYCRR 201-7.1: Capping Monitoring Condition
- *3 6 NYCRR 201-7.1: Capping Monitoring Condition
- 4 6 NYCRR 211.1: Air pollution prohibited
- 5 6 NYCRR 225-1.2 (e): Compliance Demonstration
- 6 40CFR 60, NSPS Subpart Dc: Compliance Demonstration

Emission Unit Level

EU=0-0BREW,EP=04-12,Proc=ACR

- 7 6 NYCRR 212-1.6 (a): Compliance Demonstration
- 8 6 NYCRR 212-2.4 (b): Compliance Demonstration

EU=B-OILER

- 9 40CFR 63, Subpart JJJJJ: Compliance Demonstration

EU=B-OILER,Proc=RES

- 10 6 NYCRR 227-1.3 (a): Compliance Demonstration

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

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

Emission Unit Level

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

EU=0-0BREW,EP=04-12,Proc=ACR

- 19 6 NYCRR 212-2.3 (b): Compliance Demonstration

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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



required to operate such device effectively.

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

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

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

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

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

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

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

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

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

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

Item H: Proof of Eligibility for Sources Defined as Trivial



Activities - 6 NYCRR 201-3.3 (a)

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

Item I: Required Emission Tests - 6 NYCRR 202-1.1

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item K: Permit Exclusion - ECL 19-0305

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

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



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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: Facility Permissible Emissions
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable Federal Requirement: 6 NYCRR 201-7.1

Item 1.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 007446-09-5	PTE: 199,999 pounds per year
Name: SULFUR DIOXIDE	

CAS No: 0NY210-00-0	PTE: 199,999 pounds per year
Name: OXIDES OF NITROGEN	

Condition 2: Capping Monitoring Condition
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable Federal Requirement: 6 NYCRR 201-7.1

Item 2.1:

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

6 NYCRR Subpart 201-6

Item 2.2:

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

Item 2.3:

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 2.4:

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 2.5:

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 2.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 2.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility will limit the amounts of natural gas and fuel oil combusted such that sulfur dioxide (SO₂) emissions are maintained at less than the 100-ton per year major source threshold. Compliance with this limitation will be demonstrated by maintaining calculations of total emissions, calculated on a rolling 12-month basis using EPA AP-42 emissions factors.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL CONSUMPTION

Upper Permit Limit: 100 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2017.

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

Condition 3:

Capping Monitoring Condition

Effective between the dates of 12/06/2016 and 12/05/2026



Applicable Federal Requirement:6 NYCRR 201-7.1

Item 3.1:

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

6 NYCRR Subpart 201-6

Item 3.2:

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

Item 3.3:

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 3.4:

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 3.5:

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 3.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The facility will limit nitrogen oxide (NO_x) emissions to less than 100 tons per 12 month period by limiting the volume of natural gas combusted in the boilers. Emissions will be calculated on a rolling 12-month basis using EPA AP-42 emissions factors.

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Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL CONSUMPTION

Upper Permit Limit: 100 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2017.

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

**Condition 4: Air pollution prohibited
Effective between the dates of 12/06/2016 and 12/05/2026**

Applicable Federal Requirement: 6 NYCRR 211.1

Item 4.1:

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

**Condition 5: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026**

Applicable Federal Requirement: 6 NYCRR 225-1.2 (e)

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 5.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The facility will demonstrate compliance with the liquid fuel sulfur concentration limit of 0.50% by weight using fuel supplier certifications for each delivery of No. 6 fuel oil.

Owners and/or operators of any stationary combustion installation that fires residual oil are limited to the purchase and firing of residual oil with a sulfur content of 0.50% by weight sulfur.

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Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner/operator of a facility must furnish to the Department such records and summaries, on an annual calendar basis, within 30 days after the end of the annual period.

Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.5 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2017.
Subsequent reports are due every 12 calendar month(s).

Condition 6: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable Federal Requirement: 40CFR 60, NSPS Subpart Dc

Item 6.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

All records, reports and certifications required under this section shall be maintained by the facility or operator for a period of two years following the date of such record.

The reporting period for the reports required under this subpart is each six-month period. All reports shall be submitted to the Administrator and shall be postmarked by the 30th day following the end of the reporting period. Reports shall include the following information:

1. Calendar dates covered in the reporting period.
2. Identification of the type of fuel combusted.
3. Records of the amount of natural gas combusted during each calendar months for the dates covered in the reporting period.
4. A certified statement signed by the owner or operator of the affected facility that the records of natural gas combusted during each calendar month represent all of the fuel combusted during the reporting period for



the boiler.

When firing natural gas, the facility or operator shall record and maintain records of the amount fuel combusted, for the Kewanee boiler, during each calendar month.

A meter shall be placed on the natural gas feed line to the Kewanee boiler to record the amount of natural gas combusted, for that boiler, during each calendar month

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2017.

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

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

Condition 7: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable Federal Requirement: 6 NYCRR 212-1.6 (a)

Item 7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0BREW Emission Point: 04-12
Process: ACR

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

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: METHOD 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2017.
Subsequent reports are due every 12 calendar month(s).

Condition 8: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable Federal Requirement:6 NYCRR 212-2.4 (b)

Item 8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0BREW Emission Point: 04-12
Process: ACR

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



Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Emissions of solid particulates are limited to less than 0.050 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. The Department reserves the right to perform or require the performance of a Method 5 emissions evaluation at any time.

The permittee will conduct compliance verifications annually. These verifications include review of pertinent information relating to particulate emissions of the source, including but not limited to production rate, process material, air flow rate, control equipment parameters, visible emissions, etc. The permittee will confirm that during source operation all pertinent parameters (whether used to directly calculate particulate emission rate, or as surrogates) are within ranges that ensure compliance with the particulate emission rate. These semi-annual compliance verifications do not include a Method 5 emissions evaluation.

Additionally, the permittee will investigate, in a timely manner, any instance where there is cause to believe that particulate emissions above 0.050 gr/dscf are occurring or have occurred. These instances include but are not limited to process upsets, control device malfunctions or problems, abnormal visible emissions, complaints, etc. The permittee shall determine the cause of any exceedance, make the necessary correction, and verify that the excess emissions problem has been corrected.

Records of these verifications, investigations and corrective actions will be kept on-site. Should the Department determine that the permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: PARTICULATES

Upper Permit Limit: .05 grains per cubic foot

Reference Test Method: METHOD 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY

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TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 9: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable Federal Requirement:40CFR 63, Subpart JJJJJJ

Item 9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILER

Regulated Contaminant(s):
CAS No: 0NY100-00-0 TOTAL HAP

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:
40 CFR 63.JJJJJJ

This subpart applies to each existing oil fired boiler as defined in § 63.11237 located at an area source of HAP.

At all times you must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

On or before March 21, 2014, you must:

- (1) conduct an initial tune-up while burning oil as specified in § 63.11214;
- (2) conduct tune-ups of the boiler biennially while burning oil as specified in § 63.11223;
- (3) you must have a one-time energy assessment performed by a qualified energy assessor

However, as an owner of an existing dual-fuel fired boiler (i.e., commenced construction or reconstruction or before June 4, 2010) firing only natural gas you can delay the tune-ups and energy assessment; compliance with these standards would then be required within 180 days of the

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effective date of switching the boiler back to fuel oil. Notification of the fuel switch date must be submitted within 30 days of the change. The notification must identify: The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, the date of the notice, and the date upon which the fuel switch occurred.

Note: A fuel switch is when you have switched to fuel oil by choice; periods of natural gas supply interruption and firing fuel oil to test the boiler are excluded from applicability to this part and are not considered a fuel switch.

Within 120 days of the applicable compliance date (3/21/14 or 180 days after switching to fuel oil, whichever is later) you must:

- (1) submit a Notification of Compliance Status report that indicates that you conducted an initial tune-up of the boiler;
- (2) submit a signed certification in the Notification of Compliance Status report that an energy assessment of the boiler and its energy use systems was completed according to Table 2 to this subpart and is an accurate depiction of your facility.

If the boiler has been fired on fuel oil during the previous two calendar years, you must prepare, biennially by March 1, and submit to the delegated authority upon request, a compliance certification report for the previous calendar year containing the information specified in § 63.11225 (b)(1) and (b)(2).

You must maintain the records specified in § 63.11225 (c)(1) through (c)(7).

All records must be in a form suitable and readily available for expeditious review. You must keep each record for 5 years following the date of each recorded action. You must keep each record on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. You may keep the records off site for the remaining 3 years.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 10: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026



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

Item 10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: B-OILER
Process: RES

Item 10.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent

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Reference Test Method: EPA Method 9
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2017.
Subsequent reports are due every 12 calendar month(s).



STATE ONLY ENFORCEABLE CONDITIONS
****** Facility Level ******

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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

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

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.



Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 11: Contaminant List
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable State Requirement:ECL 19-0301

Item 11.1:

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

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

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

CAS No: 0NY100-00-0
Name: TOTAL HAP

CAS No: 0NY210-00-0



Name: OXIDES OF NITROGEN

Condition 12: Malfunctions and start-up/shutdown activities
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable State Requirement:6 NYCRR 201-1.4

Item 12.1:

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

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

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

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

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

Condition 13: Emission Unit Definition
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 13.1:

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

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Emission Unit: 0-0BREW

Building(s): 4

Item 13.2:

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

Emission Unit: B-OILER

Building(s): 18

19

Condition 14: Renewal deadlines for state facility permits
Effective between the dates of 12/06/2016 and 12/05/2026

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

Item 14.1:

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

Condition 15: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026

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

Item 15.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 8
6274 East Avon-Lima Rd.
Avon, NY 14414

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2017.
Subsequent reports are due every 12 calendar month(s).

Condition 16: Visible Emissions Limited
Effective between the dates of 12/06/2016 and 12/05/2026



Applicable State Requirement:6 NYCRR 211.2

Item 16.1:

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

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

Condition 17: Emission Point Definition By Emission Unit
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 17.1:

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

Emission Unit: 0-OBREW

Emission Point: 04-12

Height (ft.): 39 Diameter (in.): 8
NYTMN (km.): 4782.1 NYTME (km.): 287.5 Building: 4

Item 17.2:

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

Emission Unit: B-OILER

Emission Point: 01801

Height (ft.): 100 Diameter (in.): 72
NYTMN (km.): 4782.1 NYTME (km.): 287.3 Building: 18

Emission Point: 22-1A

Height (ft.): 100 Diameter (in.): 48
NYTMN (km.): 4782.5 NYTME (km.): 287.2 Building: 19

Condition 18: Process Definition By Emission Unit
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 18.1:

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

Emission Unit: 0-OBREW

Process: ACR Source Classification Code: 3-02-011-05

Emission Source/Control: 0ACAS - Process



Item 18.2:

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

Emission Unit: B-OILER
Process: NGS Source Classification Code: 1-01-006-02

Emission Source/Control: 00CB1 - Combustion
Design Capacity: 94.3 grams per second

Emission Source/Control: 00CB2 - Combustion
Design Capacity: 94.3 grams per second

Emission Source/Control: 00KEW - Combustion
Design Capacity: 31.4 grams per second

Item 18.3:

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

Emission Unit: B-OILER
Process: RES Source Classification Code: 1-02-004-01

Emission Source/Control: 00CB1 - Combustion
Design Capacity: 94.3 grams per second

Emission Source/Control: 00CB2 - Combustion
Design Capacity: 94.3 grams per second

Emission Source/Control: 00KEW - Combustion
Design Capacity: 31.4 grams per second

Condition 19: Compliance Demonstration
Effective between the dates of 12/06/2016 and 12/05/2026

Applicable State Requirement:6 NYCRR 212-2.3 (b)

Item 19.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0BREW Emission Point: 04-12
Process: ACR

Item 19.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The facility owner or operator shall not allow emissions of an air contaminant to violate the requirements specified in Table 3 – Degree of Air Cleaning Required for Criteria Air Contaminants, or Table 4 – Degree of Air Cleaning Required for Non-Criteria Air Contaminants under



6 NYCRR Part 212-2.3, as applicable, for the environmental rating assigned to the contaminant by the department.

The facility owner or operator shall verify annually that the parameters used to demonstrate compliance with these tables have not significantly changed. These parameters include, but are not limited to engineering emission estimates, mass balances, process flows, production records, control equipment parameters, etc.

Additionally, the facility owner or operator will investigate, in a timely manner, any instance where there is cause to believe that Part 212 emissions standards may have been or continue to be exceeded. In such cases, the facility owner or operator shall investigate the cause, make any necessary corrections, and verify that the potential excess emissions problem has been corrected.

At all times, the facility owner or operator must operate and maintain all process emission sources, including the associated air pollution control and monitoring equipment, in a manner consistent with safety, good air pollution control practices, good engineering practices and manufacturers' recommendations for minimizing emissions.

Records of observations, investigations and corrective actions will be kept on-site. A summary of these records will be included in the annual compliance monitoring report.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2017.

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