

New York State Department of Environmental Conservation
Facility DEC ID: 8453000075



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 8-4530-00075/00001
Mod 0 Effective Date: 08/06/1999 Expiration Date: No expiration date.
Mod 1 Effective Date: 01/31/2002 Expiration Date: No expiration date.
Mod 2 Effective Date: 12/08/2000 Expiration Date: No expiration date.

Permit Issued To: NYS DEPT OF CORRECTIONAL SERVICES
BUILDING 2 - STATE OFFICE BUILDING CAMPUS
ALBANY, NY 12226

Contact: KEITH D RUPERT
NYS DEPARTMENT OF CORRECTIONAL SERVICES
1220 WASHINGTON AVENUE
ALBANY, NY 12226
(518) 435-9477

Facility: FIVE POINTS CORRECTIONAL FACILITY
SENECA ARMY DEPOT - OFF NYS RT 96
ROMULUS, NY 14541

Description:
Mod 2 project description:
Modification of the current State Facility Air Permit includes revisions to the opacity compliance certification conditions in order to standardize requirements for NYSDOC facilities across the state. There are no changes proposed to the capping conditions.

Mod 1 project description:
change name of facility

Mod 0 Project description:
Initial State Facility Air permit for the proposed Seneca Correctional Facility which will utilize seven dual fuel boilers (152.1 MMBtu/hr total) capable of firing natural gas or No. 2 fuel oil for heating purposes and three 1230 KW diesel generators for utility peak shaving and emergency power. The permit contains federally enforceable permit conditions which will limit the facility to a 12 month rolling total usage limit of 7000,000 gallons of No. 2 fuel oil and 423,300 gallons of diesel fuel. This facility limit is below the 40 CFR 52.21 threshold for Title V and the 6 NYCRR 231-2 threshold for New Source Review. The No. 2 fuel oil will have a maximum sulfur content by weight of 0.5%, which is below the 1.5% Part 225 limit for NSPS.

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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: DAVID L BIMBER
 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 permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

Facility Inspection by the Department

Relationship of this Permit to Other Department Orders and Determinations

Applications for Permit Renewals and Modifications

Permit Modifications, Suspensions, and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal -REGION 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 and Modifications
Applicable State Requirement: 6NYCRR 621.13(a)

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.

Condition 4: Permit Modifications, Suspensions, and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

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Item 4.1:

The Department reserves the right to modify, suspend, or revoke this permit. The grounds for modification, suspension or revocation include:

- a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
- b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
- c) new material information is discovered; or
- d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.

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

Condition 5: Submission of Applications for Permit Modification or Renewal -REGION 8 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:

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

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

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

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BUILDING 2 - STATE OFFICE BUILDING CAMPUS
ALBANY, NY 12226

Facility: FIVE POINTS CORRECTIONAL FACILITY
SENECA ARMY DEPOT - OFF NYS RT 96
ROMULUS, NY 14541

Authorized Activity By Standard Industrial Classification Code:



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 24 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 4 6NYCRR 200.7: Maintenance of equipment
- 9 6NYCRR 201-1.7: Recycling and Salvage
- 10 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the Air
- 12 6NYCRR 201-3.2(a): Proof of Eligibility
- 13 6NYCRR 201-3.3(a): Proof of Eligibility
- 22 6NYCRR 202-1.1: Required emissions tests
- 23 6NYCRR 211.3: Visible emissions limited.
- 1 6NYCRR 200.1: Definitions Applicable To This Permit
- 2 6NYCRR 200.5: Sealing
- 3 6NYCRR 200.6: Acceptable ambient air quality
- 5 6NYCRR 201-1.1(a): Contaminant List
- 6 6NYCRR 201-1.2: Unpermitted Emission Sources
- 7 6NYCRR 201-1.4: Unavoidable Noncompliance and Violations
- 8 6NYCRR 201-1.5: Emergency Defense
- 11 6NYCRR 201-1.10(a): Public Access to Recordkeeping
- 14 6NYCRR 201-6.2(c): Facility Permissible Emissions
- *15 6NYCRR 201-6.2(c): Compliance Demonstration
- *16 6NYCRR 201-6.2(c): Compliance Demonstration
- *17 6NYCRR 201-6.2(c): Compliance Demonstration
- *18 6NYCRR 201-6.2(c): Compliance Demonstration
- *19 6NYCRR 201-6.2(c): Compliance Demonstration
- *20 6NYCRR 201-6.2(c): Compliance Demonstration
- 21 6NYCRR 201-7.2: Synthetic minor facility capping provisions.
- 1-1 6NYCRR 225-1.4: Temporary variances.
- 26 6NYCRR 225: Compliance Demonstration
- 1-2 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 1-3 40CFR 60.7(a), NSPS Subpart A: Date of construction notification -
If a COM is not used.
- 29 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 30 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
- 1-4 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
- 1-5 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
- 33 40CFR 60.8(d), NSPS Subpart A: Prior notice.
- 34 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
- 35 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
- 1-6 40CFR 60.9, NSPS Subpart A: Availability of information.
- 1-7 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
- 38 40CFR 60.12, NSPS Subpart A: Circumvention.
- 1-8 40CFR 60.13, NSPS Subpart A: Monitoring requirements.

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Emission Unit Level

40 6NYCRR 201-6.2(c): Emission Unit Permissible Emissions

41 6NYCRR 201-6.2(c): Process Permissible Emissions

EU=0-0GENS

1-9 6NYCRR 227-1.3: Compliance Demonstration

43 6NYCRR 227-1.3(b): Exemption from opacity limits.

1-10 40CFR 60.44c(h), NSPS Subpart Dc: Compliance Demonstration

EU=0-0MAIN

1-11 6NYCRR 227-1.3: Compliance Demonstration

1-12 40CFR 60.44c(h), NSPS Subpart Dc: Compliance Demonstration

44 40CFR 60.48c(f)(1), NSPS Subpart Dc: Compliance Demonstration

EU=0-0MAIN,Proc=GAS

46 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.

47 40CFR 60.48c, NSPS Subpart Dc: Recordkeeping and reporting.

EU=0-0MAIN,Proc=OIL

48 40CFR 60.42c(d), NSPS Subpart Dc: Fuel Sulfur Limitation

49 40CFR 60.42c(h), NSPS Subpart Dc: Exemption from the averaging period.

50 40CFR 60.42c(i), NSPS Subpart Dc: Enforceability.

51 40CFR 60.46c(e), NSPS Subpart Dc: Exemption from sulfur dioxide monitoring requirements.

52 40CFR 60.48c, NSPS Subpart Dc: Recordkeeping and reporting.

EU=0-0MAIN,Proc=OIL,ES=00B01

53 40CFR 60.45c, NSPS Subpart Dc: Compliance methods for particulate matter.

EU=0-0MAIN,EP=00001,Proc=OIL

55 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.

EU=0-0MAIN,EP=00002,Proc=OIL

56 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.

EU=0-0MAIN,EP=00003,Proc=OIL

57 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.

EU=0-0MAIN,EP=00004,Proc=OIL

58 40CFR 60.43c(d), NSPS Subpart Dc: Enforceability of particulate matter and opacity standards.



STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 59 6NYCRR 201-5: General Provisions
- 1-13 6NYCRR 201-5: Permit Exclusion Provisions
- 60 6NYCRR 201-5: Emission Unit Definition
- 1-14 6NYCRR 201-5.3(b): Contaminant List
- 61 6NYCRR 211.2: Air pollution prohibited

Emission Unit Level

- 62 6NYCRR 201-5: Emission Point Definition By Emission Unit
- 63 6NYCRR 201-5: Process Definition By Emission Unit

NOTE: * preceding the condition number indicates capping. 9223 - CORRECTIONAL INSTITUTIONS

Mod 0 Permit Effective Date: 08/06/1999

Permit Expiration Date: No expiration date.

Mod 1 Permit Effective Date: 01/31/2002

Permit Expiration Date: No expiration date.



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FEDERALLY ENFORCEABLE CONDITIONS

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

Condition 24: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 215

Item 24.1:

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.

Condition 4: Maintenance of equipment
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.7

Item 4.1:

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

Condition 9: Recycling and Salvage
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.7

Item 9.1:

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.

Condition 10: Prohibition of Reintroduction of Collected Contaminants to the Air
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 10.1:

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

Condition 12: Proof of Eligibility
Effective between the dates of 08/06/1999 and Permit Expiration Date



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

Item 12.1:

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.

Condition 13: Proof of Eligibility

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 13.1:

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.

Condition 22: Required emissions tests

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 22.1:

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.

Condition 23: Visible emissions limited.

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 211.3

Item 23.1:

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-



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minute period per hour of not more than 57 percent opacity.

Condition 1: Definitions Applicable To This Permit
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.1

Item 1.1:

The definitions found in Parts 200 and 201 apply throughout this permit. Specific definitions used in this permit and their meanings include:

1. "Act" refers to the Federal Clean Air Act, 42 U.S.C. Section 7401, et seq., as amended by Public Law 101-549, November 15, 1990.
2. "Administrator" refers to the Administrator of the United States Environmental Protection Agency or designee.
3. "Department" refers to the New York State Department of Environmental Conservation.

Condition 2: Sealing
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.5

Item 2.1:

(a) 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 labelling 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.

(b) 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.

(c) Unless authorized by the commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section

Condition 3: Acceptable ambient air quality
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 200.6

Item 3.1:

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit



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any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the commissioner shall specify the degree and/or method of emission control required.

Condition 5: Contaminant List

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.1(a)

Item 5.1:

Emissions of the following contaminants are allowed under this permit.

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

CAS No: 007439-92-1
Name: LEAD

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

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

CAS No: 0NY075-00-5
Name: PM-10

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

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

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

Item 5.2:

The Facility is authorized to emit the regulated contaminants cited in Item 5.1 from the emission units specified in this permit.

Condition 6: Unpermitted Emission Sources

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.2

Item 6.1:



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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.

Condition 7: Unavoidable Noncompliance and Violations
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.4

Item 7.1:

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 or certificate issued for the corresponding air contamination source. 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.
- (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.



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(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.

Condition 8: Emergency Defense
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.5

Item 8.1:

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.

Condition 11: Public Access to Recordkeeping
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-1.10(a)

Item 11.1:

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



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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.

Condition 14: Facility Permissible Emissions
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 14.1:

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: 000630-08-0 (From Mod 1) PTE: 155,960 pounds per year
Name: CARBON MONOXIDE

CAS No: 007446-09-5 (From Mod 1) PTE: 74,000 pounds per year
Name: SULFUR DIOXIDE

CAS No: 0NY210-00-0 (From Mod 1) PTE: 194,440 pounds per year
Name: OXIDES OF NITROGEN

Condition 15: Compliance Demonstration
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 15.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 15.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
THE FACILITY IS CAPPING OUT OF TITLE V WITH A NO. 2 FUEL OIL USAGE LIMIT OF 700,000 GALLONS PER YEAR ON A 12 MONTH ROLLING TOTAL BASIS.

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Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 700000 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (ANNIVERSARY)
Initial Report Due: 09/04/2000 for the period 08/06/1999 through 08/05/2000

Condition 16: Compliance Demonstration
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 16.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 16.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
THE FACILITY IS CAPPING OUT OF TITLE V WITH A NO. 2 FUEL OIL USAGE LIMIT OF 700,000 GALLONS PER YEAR ON A 12 MONTH ROLLING TOTAL BASIS.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 700000 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (ANNIVERSARY)
Initial Report Due: 09/04/2000 for the period 08/06/1999 through 08/05/2000

Condition 17: Compliance Demonstration
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 17.1:

The Compliance Demonstration activity will be performed for the Facility.

New York State Department of Environmental Conservation

Permit ID: 8-4530-00075/00001

Facility DEC ID: 8453000075



Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY IS CAPPING OUT OF TITLE V WITH A DIESEL FUEL USAGE LIMIT OF 423,300 GALLONS PER YEAR, ON A 12 MONTH ROLLING TOTAL BASIS.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Permit Limit: 423300 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 09/04/2000 for the period 08/06/1999 through 08/05/2000

Condition 18: Compliance Demonstration

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 18.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY IS CAPPING OUT OF TITLE V WITH A DIESEL FUEL USAGE LIMIT OF 423,300 GALLONS PER YEAR, ON A 12 MONTH ROLLING TOTAL BASIS.



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Facility DEC ID: 8453000075

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Upper Permit Limit: 423300 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (ANNIVERSARY)
Initial Report Due: 09/04/2000 for the period 08/06/1999 through 08/05/2000

Condition 19: Compliance Demonstration
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 19.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 19.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes
Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
THE FACILITY IS CAPPING OUT OF TITLE V WITH A NO. 2 FUEL OIL USAGE LIMIT OF 700,000 GALLONS PER YEAR ON A 12 MONTH ROLLING TOTAL BASIS.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 700000 gallons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (ANNIVERSARY)
Initial Report Due: 09/04/2000 for the period 08/06/1999 through 08/05/2000

Condition 20: Compliance Demonstration
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 20.1:

The Compliance Demonstration activity will be performed for the Facility.



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Permit ID: 8-4530-00075/00001

Facility DEC ID: 8453000075

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY IS CAPPING OUT OF TITLE V WITH A DIESEL FUEL USAGE LIMIT OF 423,300 GALLONS PER YEAR, ON A 12 MONTH ROLLING TOTAL BASIS.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Upper Permit Limit: 423300 gallons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 09/04/2000 for the period 08/06/1999 through 08/05/2000

**Condition 21: Synthetic minor facility capping provisions.
Effective between the dates of 08/06/1999 and Permit Expiration Date**

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 21.1:

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

Item 21.2:

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 21.3:

On an annual basis, 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 those threshold levels that would require the submission of an application for a Title V facility permit, or compliance with an applicable requirement.

Item 21.4:



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The emission of pollutants in exceedance of the applicability thresholds for obtaining a Title V facility permit or other applicable requirements constitutes a violation of Part 201 and of the Act.

Condition 1-1: Temporary variances.

Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225-1.4

Replaces Condition(s) 25

Item 1-1.1:

Upon application by an air contamination source owner or a fuel supplier the commissioner may issue an order granting a temporary variance from the provisions of 6 NYCRR Part 225-1 where it can be shown, to the commissioner's satisfaction, that there is an insufficient supply of conforming fuel, either:

- (1) of the proper type required for use in a particular air contamination source; or
- (2) generally throughout an area of the State.

Condition 26: Compliance Demonstration

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225

Item 26.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 26.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE FACILITY WILL MAINTAIN A FUEL CONTRACT SPECIFYING A MAX SULFUR CONTENT BY WEIGHT OF 1.5% FOR DISTILLATE FUEL OIL UNLESS A MORE STRINGENT REGULATION APPLIES. (NSPS FOR BOILERS) CERTIFICATION FROM THE SUPPLIER WILL BE MAINTAINED FOR EACH DELIVERY. SUCH CERTIFICATIONS SHALL CONTAIN AT A MINIMUM: SUPPLIER NAME, DATE OF SHIPMENT, QUANTITY SHIPPED, HEATING VALUE OF THE OIL, OIL SULFUR CONTENT, AND METHOD USED TO DETERMINE THE SULFUR CONTENT. SUCH CERTIFICATIONS SHALL BE AVAILABLE FOR

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INSPECTION BY, OR SUBMITTAL TO, NYS DEC
UPON REQUEST.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 1.5 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 1-2: EPA Region 2 address.
Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Replaces Condition(s) 27

Item 1-2.1:

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 Enforcement and Compliance Assurance
625 Broadway
Albany, NY 12233-3258

Condition 1-3: Date of construction notification - If a COM is not used.
Effective between the dates of 01/31/2002 and Permit Expiration Date

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

Replaces Condition(s) 28

Item 1-3.1:

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



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

Condition 29: Recordkeeping requirements.
Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 29.1:

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

Condition 30: Performance testing timeline.
Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 30.1:

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

Condition 1-4: Performance test methods.
Effective between the dates of 01/31/2002 and Permit Expiration Date

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

Replaces Condition(s) 31



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Item 1-4.1:

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

Condition 1-5: Required performance test information.

Effective between the dates of 01/31/2002 and Permit Expiration Date

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

Replaces Condition(s) 32

Item 1-5.1:

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

Condition 33: Prior notice.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 33.1:

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

Condition 34: Performance testing facilities.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 34.1:

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 35: Number of required tests.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 35.1:

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



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arithmetic means of the results of the three runs.

Condition 1-6: Availability of information.

Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.9, NSPS Subpart A

Replaces Condition(s) 36

Item 1-6.1:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 1-7: Opacity standard compliance testing.

Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.11, NSPS Subpart A

Replaces Condition(s) 37

Item 1-7.1:

The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60 (or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

Condition 38: Circumvention.

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 38.1:

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 1-8: Monitoring requirements.

Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A

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Replaces Condition(s) 39

Item 1-8.1:

All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

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

Condition 40: Emission Unit Permissible Emissions

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 40.1:

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

Emission Unit: 0-0GENS

CAS No: 000630080 (From Mod 1)

Name: CARBON MONOXIDE

PTE(s): 47,740 pounds per year

15.95 pounds per hour

CAS No: 007446095 (From Mod 1)

Name: SULFUR DIOXIDE

PTE(s): 22,700 pounds per year

7.58 pounds per hour

CAS No: 0NY210000 (From Mod 1)

Name: OXIDES OF NITROGEN

PTE(s): 45.8 pounds per hour

137,060 pounds per year

Emission Unit: 0-0MAIN

CAS No: 000630080 (From Mod 1)

Name: CARBON MONOXIDE

PTE(s): 106,640 pounds per year

12.2 pounds per hour

CAS No: 007446095 (From Mod 1)

Name: SULFUR DIOXIDE

PTE(s): 73.5 pounds per hour

50,400 pounds per year



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Facility DEC ID: 8453000075

CAS No: 0NY210000 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 20.7 pounds per hour
51,480 pounds per year

Condition 41: Process Permissible Emissions
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-6.2(c)

Item 41.1:

The sum of emissions from the regulated process cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: 0-0GENS Process: ONE

CAS No: 000630-08-0 (From Mod 1)
Name: CARBON MONOXIDE
PTE(s): 15.95 pounds per hour
47,740 pounds per year

CAS No: 007446-09-5 (From Mod 1)
Name: SULFUR DIOXIDE
PTE(s): 7.58 pounds per hour
22,700 pounds per year

CAS No: 0NY210-00-0 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 45.8 pounds per hour
137,060 pounds per year

Emission Unit: 0-0MAIN Process: GAS

CAS No: 0NY210-00-0 (From Mod 1)
Name: OXIDES OF NITROGEN
PTE(s): 4.64 pounds per hour
40,620 pounds per year

Emission Unit: 0-0MAIN Process: OIL

CAS No: 000630-08-0 (From Mod 1)
Name: CARBON MONOXIDE
PTE(s): 5.18 pounds per hour
3,500 pounds per year

CAS No: 007446-09-5 (From Mod 1)



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Permit ID: 8-4530-00075/00001

Facility DEC ID: 8453000075

Name: SULFUR DIOXIDE

PTE(s): 73.5 pounds per hour
49,700 pounds per year

CAS No: 0NY210-00-0 (From Mod 1)

Name: OXIDES OF NITROGEN

PTE(s): 20.7 pounds per hour
14,000 pounds per year

Condition 1-9: Compliance Demonstration

Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 1-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0GENS

Item 1-9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired internal combustion engines which 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 for each internal combustion engine which is operating on oil 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.

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3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), 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.

Reference Test Method: Method 9
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2002.
Subsequent reports are due every 6 calendar month(s).

Condition 43: Exemption from opacity limits.
Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 43.1:

This Condition applies to Emission Unit: 0-0GENS

Item 43.2:

Excess smoke emissions from periods of start up and emergency may be exempted if it is shown that the exceedences were not preventable.

Condition 1-10: Compliance Demonstration



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Effective between the dates of 01/31/2002 and Permit Expiration Date

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

Replaces Condition(s) 54

Item 1-10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0GENS

Item 1-10.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

THE FACILITY OWNER AND/OR OPERATOR MUST
DEMONSTRATE COMPLIANCE WITH THE
REQUIREMENTS OF 40 CFR 60.42c(h).
FACILITIES DEMONSTRATING COMPLIANCE USING
THE FUEL SUPPLIER CERTIFICATION, FOR
SULFUR-IN-FUEL LIMITATIONS (BASED ON A
PERCENT BY WEIGHT OF SULFUR IN THE FUEL),
SHALL SUBMIT THE CERTIFICATION IN
ACCORDANCE WITH THE PROVISIONS OF 40 CFR
60.48c(f)(1), (2), AND (3), AS
APPLICABLE.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD - SEE MONITORING
DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 1-11: Compliance Demonstration

Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 1-11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Item 1-11.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which 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 for each boiler which is operating on oil 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:

- date and time of day
- observer's name
- identity of emission point
- weather condition
- was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. 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 firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), 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

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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.

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2002.

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

Condition 1-12: Compliance Demonstration

Effective between the dates of 01/31/2002 and Permit Expiration Date

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

Replaces Condition(s) 54

Item 1-12.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Item 1-12.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

THE FACILITY OWNER AND/OR OPERATOR MUST DEMONSTRATE COMPLIANCE WITH THE REQUIREMENTS OF 40 CFR 60.42c(h). FACILITIES DEMONSTRATING COMPLIANCE USING THE FUEL SUPPLIER CERTIFICATION, FOR SULFUR-IN-FUEL LIMITATIONS (BASED ON A PERCENT BY WEIGHT OF SULFUR IN THE FUEL), SHALL SUBMIT THE CERTIFICATION IN ACCORDANCE WITH THE PROVISIONS OF 40 CFR 60.48c(f)(1), (2), AND (3), AS APPLICABLE.

Parameter Monitored: SULFUR CONTENT



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Upper Permit Limit: 0.5 percent by weight

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD - SEE MONITORING
DESCRIPTION

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 44: Compliance Demonstration

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 44.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-0MAIN

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 44.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

i) The name of the oil supplier, and

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

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

Reporting Requirements: QUARTERLY (ANNIVERSARY)

Initial Report Due: 12/05/1999 for the period 08/06/1999 through 11/05/1999

Condition 46: Exemption from sulfur dioxide monitoring requirements.

Effective between the dates of 08/06/1999 and Permit Expiration Date

New York State Department of Environmental Conservation

Permit ID: 8-4530-00075/00001

Facility DEC ID: 8453000075



Applicable Federal Requirement: 40CFR 60.46c(e), NSPS Subpart Dc

Item 46.1:

This Condition applies to Emission Unit: 0-0MAIN
Process: GAS

Item 46.2:

Facilities subject to paragraphs 40 CFR 60-Dc.42c(h)(1), (2), or (3) showing compliance through vendor certification shall be exempt from section 40 CFR 60-Dc.46c.

Condition 47: Recordkeeping and reporting.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 47.1:

This Condition applies to Emission Unit: 0-0MAIN
Process: GAS

Item 47.2:

The facility shall maintain reports and records in accordance with the provisions of this section 40 CFR 60-Dc.48c.

Condition 48: Fuel Sulfur Limitation

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.42c(d), NSPS Subpart Dc

Item 48.1:

This Condition applies to Emission Unit: 0-0MAIN
Process: OIL

Item 48.2:

The permittee shall not fire fuel oil which exceeds 0.50 percent sulfur by weight.

Condition 49: Exemption from the averaging period.

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.42c(h), NSPS Subpart Dc

Item 49.1:

This Condition applies to Emission Unit: 0-0MAIN
Process: OIL

Item 49.2:

Compliance with emission limits and/or fuel oil sulfur limitations shall be based on a certification from the fuel supplier as stated in paragraph 40 CFR 60-Dc.48c(f)(1), (2), or (3) as applicable.

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Condition 50: Enforceability.
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.42c(i), NSPS Subpart Dc

Item 50.1:

This Condition applies to Emission Unit: 0-0MAIN
Process: OIL

Item 50.2:

The sulfur dioxide emission limits, percentage reductions, and fuel oil sulfur limitations shall apply at all times, including periods of startup, shutdown, and malfunction.

Condition 51: Exemption from sulfur dioxide monitoring requirements.
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable Federal Requirement: 40CFR 60.46c(e), NSPS Subpart Dc

Item 51.1:

This Condition applies to Emission Unit: 0-0MAIN
Process: OIL

Item 51.2:

Facilities subject to paragraphs 40 CFR 60-Dc.42c(h)(1), (2), or (3) showing compliance through vendor certification shall be exempt from section 40 CFR 60-Dc.46c.

Condition 52: Recordkeeping and reporting.
Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 52.1:

This Condition applies to Emission Unit: 0-0MAIN
Process: OIL

Item 52.2:

The facility shall maintain reports and records in accordance with the provisions of this section 40 CFR 60-Dc.48c.

Condition 53: Compliance methods for particulate matter.
Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 53.1:

This Condition applies to Emission Unit: 0-0MAIN



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Facility DEC ID: 8453000075

Process: OIL

Emission Source: 00B01

Item 53.2:

The facility shall conduct compliance testing for particulate matter by the methods listed in this section 40 CFR 60-Dc.45c.

Condition 55: Enforceability of particulate matter and opacity standards.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 55.1:

This Condition applies to Emission Unit: 0-0MAIN Emission Point: 00001
Process: OIL

Item 55.2:

The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

Condition 56: Enforceability of particulate matter and opacity standards.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 56.1:

This Condition applies to Emission Unit: 0-0MAIN Emission Point: 00002
Process: OIL

Item 56.2:

The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

Condition 57: Enforceability of particulate matter and opacity standards.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 57.1:

This Condition applies to Emission Unit: 0-0MAIN Emission Point: 00003
Process: OIL

Item 57.2:

The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

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Condition 58: Enforceability of particulate matter and opacity standards.

Effective between the dates of 08/06/1999 and Permit Expiration Date

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

Item 58.1:

This Condition applies to Emission Unit: 0-OMAIN Emission Point: 00004
Process: OIL

Item 58.2:

The particulate matter and opacity standards of section 40 CFR 60-Dc.43c apply at all times, except during periods of startup, shutdown, and malfunction.

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Permit ID: 8-4530-00075/00001

Facility DEC ID: 8453000075



STATE ONLY ENFORCEABLE CONDITIONS

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

Condition 59: General Provisions

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 59.1:

This section contains terms and conditions that are not federally enforceable and are not required under the Act or under any of its applicable requirements. Terms and conditions so designated are not subject to the requirements of Section 201-6.4 of Part 201.

Item 59.2:

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.

Item 59.3:

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.

Condition 1-13: Permit Exclusion Provisions

Effective between the dates of 01/31/2002 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 1-13.1:

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 currently pending or future legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant 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 by the Department and the receipt thereof by the Applicant does not supercede, revoke or rescind an order or modification thereof on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions or requirements



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contained in such order or modification thereof unless specifically intended by this permit.

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 the right of the Department to bring any future action, or pursue any pending action, either administrative or judicial, to required remediation, contribution for costs incurred or funds expended, for any violations, past, present or future, known or unknown, of applicable federal law, the ECL, or the rules and regulations promulgated thereunder, or conditions contained in any other licenses or permits issued to the Applicant and not addressed in this permit.

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 the right of the Department to pursue any claims for natural resource damages against the Applicant.

Condition 60: Emission Unit Definition

Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 60.1(From Mod 1):

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

Emission Unit: 0-0GENS

Emission Unit Description:

THREE 1230 KW DIESEL GENERATORS ARE USED FOR UTILITY PEAK SHAVING AND EMERGENCY POWER.

Building(s): 17

Item 60.2(From Mod 1):

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

Emission Unit: 0-0MAIN

Emission Unit Description:

FOUR 30 MMBTU/HR BOILERS AND THREE 10.46 MMBTU/HR BOILERS FIRING NATURAL GAS AND NO. 2 FUEL OIL ARE LOCATED IN THE HEATING PLANT. THE BOILERS ARE SUBJECT TO 40 CFR SUBPART Dc, NSPS. EACH BOILER VENTS TO AN INDIVIDUAL STACK.

Building(s): 16

Condition 1-14: Contaminant List

Effective between the dates of 01/31/2002 and Permit Expiration Date

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



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Item 1-14.1:

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

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

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

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

Condition 61: Air pollution prohibited
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 61.1:

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 62: Emission Point Definition By Emission Unit
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 62.1(From Mod 0):

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

Emission Unit: 0-0GENS

Emission Point: 00008
Height (ft.): 20

Diameter (in.): 10

Building: 17

Emission Point: 00009
Height (ft.): 20

Diameter (in.): 10

Building: 17

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Emission Point: 00010
Height (ft.): 20 Diameter (in.): 10
Building: 17

Item 62.2(From Mod 0):

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

Emission Unit: 0-0MAIN

Emission Point: 00001
Height (ft.): 33 Diameter (in.): 24
Building: 16

Emission Point: 00002
Height (ft.): 33 Diameter (in.): 24
Building: 16

Emission Point: 00003
Height (ft.): 33 Diameter (in.): 24
Building: 16

Emission Point: 00004
Height (ft.): 33 Diameter (in.): 24
Building: 16

Emission Point: 00005
Height (ft.): 33 Diameter (in.): 20
Building: 16

Emission Point: 00006
Height (ft.): 33 Diameter (in.): 20
Building: 16

Emission Point: 00007
Height (ft.): 33 Diameter (in.): 20
Building: 16

Condition 63: Process Definition By Emission Unit
Effective between the dates of 08/06/1999 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 63.1(From Mod 1):

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

Emission Unit: 0-0GENS



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Permit ID: 8-4530-00075/00001

Facility DEC ID: 8453000075

Process: ONE

Process Description:

THE THREE 1230 KW GENERATORS COMBUST
DIESEL FUEL TO PROVIDE UTILITY PEAK SHAVING
AND EMERGENCY POWER.

Emission Source/Control: 00G01 - Combustion

Design Capacity: 1,230 kilowatts

Emission Source/Control: 00G02 - Combustion

Design Capacity: 1,230 kilowatts

Emission Source/Control: 00G03 - Combustion

Design Capacity: 1,230 kilowatts

Item 63.2(From Mod 1):

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

Emission Unit: 0-0MAIN

Process: GAS

Source Classification Code: 1-02-006-02

Process Description: THE SEVEN HEATING PLANT BOILERS BURN NATURAL GAS.

Emission Source/Control: 00B01 - Combustion

Design Capacity: 30 million Btu per hour

Emission Source/Control: 00B05 - Combustion

Design Capacity: 10.71 million Btu per hour

Emission Source/Control: 00B11 - Control

Control Type: LOW NOx BURNER

Emission Source/Control: 00B12 - Control

Control Type: FLUE GAS RECIRCULATION

Item 63.3(From Mod 1):

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

Emission Unit: 0-0MAIN

Process: OIL

Source Classification Code: 1-03-005-01

Process Description:

THE SEVEN HEATING PLANT BOILERS BURN NO. 2
FUEL OIL

Emission Source/Control: 00B01 - Combustion

Design Capacity: 30 million Btu per hour

Emission Source/Control: 00B05 - Combustion



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Permit ID: 8-4530-00075/00001

Facility DEC ID: 8453000075

Design Capacity: 10.71 million Btu per hour

Emission Source/Control: 00B11 - Control
Control Type: LOW NOx BURNER

Emission Source/Control: 00B12 - Control
Control Type: FLUE GAS RECIRCULATION