



New York State Department of Environmental Conservation
Permit Review Report

Permit ID: 8-4532-00075/00029

Renewal Number: 2

07/22/2013

Facility Identification Data

Name: SENECA ENERGY LFGTE FACILITY

Address: ST RTE 414|RENEWABLE RESOURCES PARK
SENECA FALLS, NY 13148

Owner/Firm

Name: SENECA ENERGY II LLC

Address: 2999 JUDGE RD
OAKFIELD, NY 14125, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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2999 JUDGE RD

OAKFIELD, NY 14125-9771

Phone:5859488580

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

This is an application for renewal of the Air Title V Facility permit as well as for a modification to the existing Title V Permit for the Seneca Energy Landfill Gas to Energy Facility. The facility intends a High BTU Plant and a 3,000 SCFM Thermal Oxidizer. A 2,000 CFM enclosed flare will be utilized to combust gas while the High BTU Plant experiences upset conditions.

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Attainment Status

SENECA ENERGY LFGTE FACILITY is located in the town of SENECA FALLS in the county of SENECA.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

The permitted electricity generation equipment and processes operated at the Seneca Energy LFGTE Facility consists of:

1. LFG treatment equipment (proprietary gas dewatering, filtration and compression equipment processes).
2. 14 lean-burn Caterpillar, Inc. (CAT) G3516 gas IC engines connected to individual electricity generators (with the potential to generate 11.515 MW of electricity).
3. 4 lean-burn CAT G3520C gas IC engines connected to individual electricity generators (with the potential to generate 6.4 MW of electricity).
4. Ancillary equipment that supports the electricity generation operations.
 - a. Each of the IC engines is equipped with a stand-alone fan-cooled radiator.
 - b. Engine radiator coolant (new and used) will be stored in separate above ground holding tanks positioned on the premises of the LFG fueled IC engine electricity generation operations. The new and waste engine radiator coolant storage tanks will each have capacities of 1,000 gallons.
 - c. Engine lube oil (new and used) will be stored in separate above ground holding tanks positioned on the premises of the LFG fueled IC engine electricity generation operations. The new lube oil storage tank will have a capacity of 8,000 gallons. The waste oil storage tank will have a capacity of 2,000 gallons.

Seneca Energy plans to install and operate:



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1. A High BTU Plant and a 3,000 SCFM Thermal Oxidizer and a 2,000 CFM enclosed flare for use during upset conditions.

Other emission sources at the Facility include the crankcase ventilator system and a propane furnace.

Permit Structure and Description of Operations

The Title V permit for SENECA ENERGY LFGTE FACILITY

is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

SENECA ENERGY LFGTE FACILITY is defined by the following emission unit(s):

Emission unit 3STAGE - 1. 14 lean-burn CAT G3516 (01ENG-14ENG) and 4 lean-burn CAT G3520C (15ENG-18ENG) gas IC engines connected to individual electricity generators installed in building ENGBLDG.

2. Ancillary equipment with insignificant emissions [exempt pursuant to 6NYCRR Part 201-3.1(b)] that supports the electricity generation operations.

a. Engine radiator coolant (new and used) will be stored in separate above ground holding tanks positioned on the premises of the LFG fueled IC engine electricity generation operations. The new and used engine radiator coolant storage tanks will each have capacities of 1,000 gallons.

b. Engine lube oil (new and used) will be stored in separate above ground holding tanks positioned on the premises of the LFG fueled IC engine electricity generation operations. The new lube oil storage tanks will have capacities of 8,000 gallons and 6,000 gallons. The used oil storage tank will have a capacity of 2,000 gallons.

Emission unit 3STAGE is associated with the following emission points (EP):

ENG01, ENG02, ENG03, ENG04, ENG05, ENG06, ENG07, ENG08, ENG09, ENG10, ENG11, ENG12,



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ENG13, ENG14, ENG15, ENG16, ENG17, ENG18

1. 14 CAT G3516 gas IC engine generator sets that have individual maximum heat input rates of 8.6 MMBtu/hr LHV. At the minimum fuel quality utilization value of 420 Btu/cf (LHV), the maximum fuel use rate of each IC engine is approximately 341 cfm.

2. 4 CAT G3520C gas IC engine generator sets that have individual maximum heat input rates of 14.67 MMBtu/hr LHV. At the minimum fuel quality utilization value of 420 Btu/cf (LHV), the maximum fuel use rate of each IC engine is approximately 580 cfm.

Emission unit 1BTUPL - The facility is proposing the construction of a High BTU Plant, consisting of a Membrane Biogaz System; a 3,000 SCFM Thermal Oxidizer and a 2,000 CFM enclosed flare to be used during "upset" conditions.

Emission unit 1BTUPL is associated with the following emission points (EP):

FLR01, OXD01

Process: GAS is located at Building BTUPLANT - Landfill gas is processed in a High BTU Plant and a 3,000 CFM Thermal Oxidizer. The membrane system enriches the methane content of the landfill gas prior to delivery to off-site end users via transmission pipeline. The waste gas from the process is combusted in the thermal oxidizer. A 2,000 CFM enclosed flare is used to combust the gas during upset conditions. The 2,000 CFM flare will be limited to a maximum of 500 hours of operation per year.

Title V/Major Source Status

SENECA ENERGY LFGTE FACILITY is subject to Title V requirements. This determination is based on the following information:

This facility has emissions that are major for NOx and CO. This application is subject to New Source Review.

Program Applicability

The following chart summarizes the applicability of SENECA ENERGY LFGTE FACILITY with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	NO
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES



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SIP	YES
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NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual



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state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis

of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code

Description

4911

ELECTRIC SERVICES

4931

ELEC & OTHER SERVICES COMBINED

SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information.Each SCC represents

a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code

Description

2-01-008-07

INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION

ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - LANDFILL GAS

RECIPROCATING: EXHAUST

3-10-002-05

OIL AND GAS PRODUCTION

OIL AND GAS PRODUCTION - NATURAL GAS PRODUCTION

Flares

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that

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contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
000079-34-5	1,1,2,2-TETRACHLOROETHANE		> 0 but < 10 tpy
000107-06-2	1,2-DICHLOROETHANE		> 0 but < 10 tpy
000108-10-1	2-PENTANONE, 4-METHYL		> 0 but < 10 tpy
000071-43-2	BENZENE		> 0 but < 10 tpy
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS		>= 100,000 tpy
000075-15-0	CARBON DISULFIDE		> 0 but < 10 tpy
000630-08-0	CARBON MONOXIDE		>= 250 tpy but < 75,000 tpy
000056-23-5	CARBON TETRACHLORIDE		> 0 but < 10 tpy
000463-58-1	CARBONYL SULFIDE		> 0 but < 10 tpy
000108-90-7	CHLOROBENZENE		> 0 but < 10 tpy
000067-66-3	CHLOROFORM		> 0 but < 10 tpy
000075-09-2	DICHLOROMETHANE		> 0 but < 10 tpy
000071-55-6	ETHANE, 1,1,1-TRICHLORO		> 0 but < 10 tpy
000075-34-3	ETHANE, 1,1-DICHLORO-		> 0 but < 10 tpy
000075-00-3	ETHANE, CHLORO		> 0 but < 10 tpy
000075-35-4	ETHENE, 1,1-DICHLORO		> 0 but < 10 tpy
000100-41-4	ETHYLBENZENE		> 0 but < 10 tpy
000110-54-3	HEXANE		> 0 but < 10 tpy
007647-01-0	HYDROGEN CHLORIDE		> 0 but < 10 tpy
007783-06-4	HYDROGEN SULFIDE		> 0 but < 2.5 tpy
007439-97-6	MERCURY		> 0 but < 10 tpy
000078-93-3	METHYL ETHYL KETONE		> 0 but < 10 tpy
0NY998-20-0	NMOC - LANDFILL USE ONLY		>= 2.5 tpy but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN		>= 100 tpy but < 250 tpy
0NY075-00-0	PARTICULATES		>= 25 tpy but < 40 tpy
000127-18-4	PERCHLOROETHYLENE		> 0 but < 10 tpy
0NY075-00-5	PM-10		>= 25 tpy but < 40 tpy
000078-87-5	PROPANE, 1,2-DICHLORO		> 0 but < 10 tpy
000107-13-1	PROPENENITRILE		> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE		>= 40 tpy but < 50 tpy
000108-88-3	TOLUENE		> 0 but < 10 tpy
0NY100-00-0	TOTAL HAP		>= 2.5 tpy but < 10 tpy
000079-01-6	TRICHLOROETHYLENE		> 0 but < 10 tpy
000075-01-4	VINYL CHLORIDE		> 0 but < 10 tpy
0NY998-00-0	VOC		>= 2.5 tpy but < 10 tpy
001330-20-7	XYLENE, M, O & P MIXT.		> 0 but < 10 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS



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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 Title V Facilities - 6 NYCRR 201-1.10(b)

The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

Item C: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.



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- Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR 201-6.4(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.4(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.
- Item J: Permit Shield - 6 NYCRR Part 201-6.4(g)**
All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:
- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
 - ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;



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- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.
- iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: 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 M: 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.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

**Item A: 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.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
FACILITY	ECL 19-0301	81	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 60-A.11	41	General provisions - compliance with standards and maintenance requirements
FACILITY	40CFR 60-A.12	42	General provisions - Circumvention
FACILITY	40CFR 60-A.14	43	General provisions - Modification
FACILITY	40CFR 60-A.15	44	General provisions - Reconstruction
FACILITY	40CFR 60-A.4	26	General provisions - Address
FACILITY	40CFR 60-A.7(a)	27	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(b)	28	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(c)	29	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(d)	30	Notification and

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FACILITY	40CFR 60-A.7(e)	31	Recordkeeping
FACILITY	40CFR 60-A.7(f)	32	Notification and Recordkeeping
FACILITY	40CFR 60-A.7(g)	33	Notification and Recordkeeping
FACILITY	40CFR 60-A.8(a)	34	Performance Tests
FACILITY	40CFR 60-A.8(b)	35	Performance Tests
FACILITY	40CFR 60-A.8(c)	36	Performance Tests
FACILITY	40CFR 60-A.8(d)	37	Performance Tests
FACILITY	40CFR 60-A.8(e)	38	Performance Tests
FACILITY	40CFR 60-A.8(f)	39	Performance Tests
FACILITY	40CFR 60-A.9	40	General provisions - Availability of information
3-STAGE/-/ST3	40CFR 60-JJJJ.4230(a)(4)	74, 75	Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - Applicability
FACILITY	40CFR 60-JJJJ.4246	45	Applicability of Subpart A provisions
1-BTUPL/-/GAS/TRMT2	40CFR 60-WWW.752(b)(2)(64, 65	Treatment Systems Processing Landfill Gas for Subsequent Sale or Use.
3-STAGE/-/ST3/TRMT1	40CFR 60-WWW.752(b)(2)(78, 79	Treatment Systems Processing Landfill Gas for Subsequent Sale or Use.
1-BTUPL/-/GAS/TRMT2	40CFR 63-A.6(e)(3)	66	Startup, Shutdown and Malfunction Plan
3-STAGE/-/ST3/TRMT1	40CFR 63-A.6(e)(3)	80	Startup, Shutdown and Malfunction Plan
1-BTUPL/-/GAS	40CFR 63-ZZZZ	51	Reciprocating Internal Combustion Engine (RICE) NESHAP
3-STAGE/-/ST3	40CFR 63-ZZZZ	76, 77	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 63-ZZZZ.6665	46	Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	19	- General provisions
FACILITY	40CFR 82-F	20	Chemical accident prevention provisions
FACILITY	6NYCRR 200.6	1	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.7	10	Acceptable ambient air quality.
FACILITY	6NYCRR 201-1.4	82, 83	Maintenance of equipment.
FACILITY	6NYCRR 201-1.7	11	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.8	12	Recycling and Salvage
			Prohibition of reintroduction of collected contaminants to the

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FACILITY	6NYCRR 201-3.2 (a)	13	air
FACILITY	6NYCRR 201-3.3 (a)	14	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-6	21, 47, 48	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6.4 (a) (4)	15	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (c)	3	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Recordkeeping and Reporting of Compliance Monitoring Records of Monitoring, Sampling and Measurement Reporting
FACILITY	6NYCRR 201- 6.4 (c) (3) (ii)	5	Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	22	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f)	23	Operational Flexibility
FACILITY	6NYCRR 201-6.4 (f) (6)	17	Off Permit Changes
FACILITY	6NYCRR 201-7.1	49	Emission Capping in Facility Permits
1-BTUPL	6NYCRR 201-7.1	50	Emission Capping in Facility Permits
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	24	General Prohibitions - air pollution prohibited
1-BTUPL/-/GAS/2KFLR	6NYCRR 212.4 (a)	52, 53, 54, 55	General Process Emission Sources - emissions from new sources and/or modifications
1-BTUPL/-/GAS/3KOXD	6NYCRR 212.4 (a)	58, 59, 60, 61	General Process Emission Sources - emissions from new sources and/or modifications
1-BTUPL/-/GAS/2KFLR	6NYCRR 212.6 (a)	56	General Process Emission Sources - opacity of emissions limited
1-BTUPL/-/GAS/3KOXD	6NYCRR 212.6 (a)	62	General Process Emission Sources - opacity of emissions limited



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FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
3-STAGE/-/ST3	6NYCRR 227-1.3 (a)	67	Smoke Emission Limitations.
3-STAGE/-/ST3	6NYCRR 227-2.4 (f) (2)	68	Emission limit for engines running on landfill gas.
3-STAGE/-/ST3	6NYCRR 227-2.6 (c)	69	Stack Test Requirements.
FACILITY	6NYCRR 231-2.4	25	Permit Requirements
1-BTUPL/-/GAS/2KFLR	6NYCRR 231-8	57	Mods to Existing Major Facilities in Attainment Areas (PSD)
1-BTUPL/-/GAS/3KOXD	6NYCRR 231-8	63	Mods to Existing Major Facilities in Attainment Areas (PSD)
1-BTUPL	6NYCRR 231-8.6	50	Permit content and terms of issuance
3-STAGE/-/ST3	6NYCRR 257-4	70, 71, 72	Air Quality Standards - Carbon Monoxide
3-STAGE/-/ST3	6NYCRR 257-7	73	Air Quality Standards - Nitrogen Dioxide

Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates



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within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to 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.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations.



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It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.4 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENdar year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

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.

40 CFR Part 68

This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or



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repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, SENECA ENERGY LFGTE FACILITY has been determined to be subject to the following regulations:

40 CFR 60.11

This regulation specifies the type of opacity monitoring requirements in relation to compliance with the standards and maintenance requirements.

40 CFR 60.12

This regulation prohibits an owner or operator from concealing emissions in violation of applicable standards by any means.

40 CFR 60.14

This regulation defines the term modification and what is and is not considered to be a modification, for the purpose of rule applicability.

40 CFR 60.15

This regulation defines the term reconstruction and what is and is not considered to be a reconstruction project, for the purpose of rule applicability.

40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.4230 (a) (4) (i)

Owners and operators of stationary spark ignited internal combustion engines (SI ICE), that commence construction after June 12, 2006, where the stationary SI ICE are manufactured on or after July 1, 2007, for engines with a maximum engine power greater than or equal to 500 HP (except lean burn engines with a maximum engine power greater than or equal to 500 HP and less than 1,350 HP) are subject to the requirements of 40 CFR 60 Subpart JJJJ.

40 CFR 60.4246



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This regulation specifies that the following provisions of 40 CFR 60 Subpart A apply to this facility: 60.1 through 60.12, 60.14 through 60.17 and 60.19.

40 CFR 60.7 (a)

This regulation requires any owner or operator subject to a New Source Performance Standard (NSPS) to furnish the Administrator with notification of the dates of: construction or reconstruction, initial startup, any physical or operational changes, commencement of performance testing for continuous monitors and anticipated date for opacity observations as required.

40 CFR 60.7 (b)

This regulation requires the owner or operator to maintain records of the occurrence and duration of any startup, shutdown, or malfunction of the source or control equipment or continuous monitoring system.

40 CFR 60.7 (c)

This requirement details the information to be submitted in excess emissions and monitoring systems performance reports which must be submitted at least semi-annually for sources with compliance monitoring systems.

40 CFR 60.7 (d)

This condition specifies the required information and format for a summary report form and details when either a summary form and/or excess emissions reports are required.

40 CFR 60.7 (e)

This condition specifies how sources that remain in continuous compliance, and are subject to monthly or quarterly reporting, can reduce reporting frequency to semiannually.

40 CFR 60.7 (f)

This condition specifies requirements for maintenance of files of all measurements, including continuous monitoring system (CMS), monitoring device, and performance testing measurements; all CMS performance evaluations; all CMS or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices for at least two years.

40 CFR 60.7 (g)

This condition allows source owners to use reporting required for state or local agencies to satisfy the paragraph (a) reporting requirements of this section of this rule.

40 CFR 60.752 (b) (2) (iii) (C)

This rule requires the facility to treat the gas prior to use or sale. If the gas is treated then the facility is not subject to the control requirements in 40 CFR 60 Subpart WWWW.



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40 CFR 60.8 (a)

This regulation contains the requirements for the completion date and reporting of Performance Testing (stack testing), at the facility. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, the owner or operator of the facility must conduct performance test(s) and furnish a written report of the test results.

40 CFR 60.8 (b)

This regulation contains the requirements for Performance test methods and procedures, to be used by the owner or operator, of the affected facility.

40 CFR 60.8 (c)

This condition contains the requirements for operating conditions, of the emission source, during performance testing.

40 CFR 60.8 (d)

This regulation contains the requirements for advance notification of Performance (stack) testing.

40 CFR 60.8 (e)

This regulation requires the facility to provide appropriate sampling ports, safe platforms and utilities as necessary for Performance (stack) testing.

40 CFR 60.8 (f)

This regulation requires that Performance (stack) tests consist of three runs unless otherwise specified. The rule also designates the allowable averaging methods for the analysis of the results.

40 CFR 60.9

This rule citation allows the public access to any information submitted to the EPA Administrator (or state contact), in conjunction with a project subject to this section of the regulation.

40 CFR 63.6 (e) (3)

Paragraph 63.6(e)(3) requires a startup, shutdown, and malfunction (SSM) plan for MACT-affected sources and that the plan be followed.

40 CFR 63.6665

This regulation specifies which provisions of the General provisions (Subpart A of 40 CFR 63) apply to the owner or operators of stationary internal combustion engines at facilities with emissions of hazardous air pollutants.

40 CFR Part 63, Subpart ZZZZ



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A stationary reciprocating internal combustion engine (RICE) located at an area source of HAP emissions is new if construction or reconstruction commenced on or after June 12, 2006.

New or reconstructed stationary RICE located at an area source, must meet the requirements of this part by meeting the requirements of 40 CFR Part 60 Subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.

Those IC engines constructed prior to June 12, 2006 are subject to the requirements of 40 CFR 63 Subpart ZZZZ since they are landfill gas engines > 500 HP located at an area source of HAPs. This condition is a summary of the requirements that the Facility must be in compliance with prior to October 19, 2013.

Additionally, the facility operates emergency diesel generators in order to supply limited temporary power during utility outages. The unit is considered exempt under 6 NYCRR 201-3.2(c). Since the emergency diesel generator was manufactured prior to June 12, 2006, is less than 500 horsepower (HP) in size, and is located at an area source of HAPs, the requirements of 40 CFR Part 63, Subpart ZZZZ apply to the unit. This condition is a summary of the requirements that the Facility must be in compliance with prior to May 3, 2013.

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide any information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

6 NYCRR 201-6.4 (a) (8)

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.



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6 NYCRR 201-6.4 (c) (2)

This requirement applies to all facilities subject to Title V requirements and specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (4)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (f)

This condition allows the facility operational flexibility in their operations. The condition outlines what is allowed and the procedures to use in determining if a permit change falls under the operational flexibility rule. The facility is required to report annually any changes made under operational flexibility.

6 NYCRR 201-6.4 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 201-7.1

This section of Part 201-7 specifies the criteria that need to be met in order to restrict emissions to avoid Title V or other applicable requirements using federally enforceable permit conditions permit.

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor



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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.

6 NYCRR 212.4 (a)

This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for new (after July 1, 1973) process emission sources.

6 NYCRR 212.6 (a)

This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

6 NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6 NYCRR 227-2.4 (f) (2)

This regulation sets the limit for emissions of oxides of nitrogen from internal combustion engines running on landfill gas at 2.0 grams per brake horsepower-hour. The owner/operator of the engine must test the emissions one during the term of the permit.

6 NYCRR 227-2.6 (c)

This condition requires the facility to complete emissions testing on an internal combustion engine in order to show compliance with the NOxRACT limit of 2.0 grams per brake horsepower-hour for engines combusting landfill gas.

6 NYCRR 231-2.4

The provisions of Subpart 231-2 apply to new or modified major facilities. The contaminants of concern state-wide are nitrogen oxides and volatile organic compounds since New York State is located in the ozone transport region and because there are ozone non-attainment areas within the state. In the New York City metropolitan area, carbon monoxide is also a non-attainment contaminant. In addition, particulate matter less than 10 microns in size (PM-10) is a non-attainment contaminant in Manhattan County.

The permitting requirements for proposed source projects and new major facilities are set forth in section 231-2.4.

6 NYCRR 231-8.6

This section states what an applicant's permit must and will contain for conditions.



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6 NYCRR Subpart 231-8

This subpart applies to modifications to existing major facilities in attainment areas (prevention of significant deterioration (PSD)).

6 NYCRR Subpart 257-4

This condition contains a facility PTE limit on carbon monoxide emissions to ensure that the facility does not exceed NAAQS. The facility PTE for carbon monoxide was capped at 500 tons/yr. The additional engines brought their PTE to <522.9 tons/yr. The facility applied for a Pollution Prevention Exclusion and based on Air Modeling the limit was approved.

6 NYCRR Subpart 257-7

This establishes the ambient air quality standards for nitrogen dioxide and requires during any 12 consecutive months that the annual average of the 24 hour concentrations of nitrogen dioxide not exceed 0.05 ppm (100 ug/m3) in the State.

Compliance Certification

Summary of monitoring activities at SENECA ENERGY LFGTE FACILITY:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	29	record keeping/maintenance procedures
3-STAGE/-/ST3	75	record keeping/maintenance procedures
1-BTUPL/-/GAS/TRMT2	64	record keeping/maintenance procedures
1-BTUPL/-/GAS/TRMT2	65	record keeping/maintenance procedures
3-STAGE/-/ST3/TRMT1	78	record keeping/maintenance procedures
3-STAGE/-/ST3/TRMT1	79	record keeping/maintenance procedures
1-BTUPL/-/GAS	51	record keeping/maintenance procedures
3-STAGE/-/ST3	76	record keeping/maintenance procedures
3-STAGE/-/ST3	77	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
1-BTUPL	50	monitoring of process or control device parameters as surrogate
FACILITY	7	record keeping/maintenance procedures
1-BTUPL/-/GAS/2KFLR	52	monitoring of process or control device parameters as surrogate
1-BTUPL/-/GAS/2KFLR	53	intermittent emission testing
1-BTUPL/-/GAS/2KFLR	54	intermittent emission testing
1-BTUPL/-/GAS/2KFLR	55	intermittent emission testing
1-BTUPL/-/GAS/3KOXD	58	intermittent emission testing
1-BTUPL/-/GAS/3KOXD	59	intermittent emission testing
1-BTUPL/-/GAS/3KOXD	60	intermittent emission testing
1-BTUPL/-/GAS/3KOXD	61	monitoring of process or control device parameters as surrogate



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1-BTUPL/-/GAS/2KFLR	56	monitoring of process or control device parameters as surrogate
1-BTUPL/-/GAS/3KOXD	62	monitoring of process or control device parameters as surrogate
3-STAGE/-/ST3	67	monitoring of process or control device parameters as surrogate
3-STAGE/-/ST3	68	monitoring of process or control device parameters as surrogate
3-STAGE/-/ST3	69	intermittent emission testing
1-BTUPL/-/GAS/2KFLR	57	intermittent emission testing
1-BTUPL/-/GAS/3KOXD	63	intermittent emission testing
3-STAGE/-/ST3	70	monitoring of process or control device parameters as surrogate
3-STAGE/-/ST3	71	intermittent emission testing
3-STAGE/-/ST3	72	work practice involving specific operations
3-STAGE/-/ST3	73	work practice involving specific operations

Basis for Monitoring

6NYCRR Part 201-6.4(f): This condition allows the facility operational flexibility in their operations. The condition outlines what is allowed and the procedures to use in determining if a permit change falls under the operational flexibility rule. The facility is required to report annually any changes made under operational flexibility.

6NYCRR Part 231-2.4: The facility was required to obtain ERCs for NOx at 1:1 ratio according to the Pollution Prevention Exclusion which was approved by the Department. The facility obtained 52 tpy of NOx from LFG Energy Upgrade Facility (DEC ID#: 9-1432-00281).

6NYCRR Part 257-7: This condition contains a facility PTE limit on NOx emissions to ensure that the facility does not exceed NAAQS. The facility PTE for NOx was capped at 200 tons/yr PTE NOx. The additional engines brought their PTE to <214.4 tons/yr. The facility applied for a Pollution Prevention Exclusion and based on Air Modeling the limit was approved with the condition that the facility obtain 1:1 ERCs for NOx.

6NYCRR Part 257-4: This condition contains a facility PTE limit on carbon monoxide emissions to ensure that the facility does not exceed NAAQS. The facility PTE for carbon monoxide was capped at 500 tons/yr. The additional engines brought their PTE to <522.9 tons/yr. The facility applied for a Pollution Prevention Exclusion and based on Air Modeling the limit was approved.

6NYCRR Part 257-4: This condition requires stack testing to be completed on an engine chosen by the Department in order to show compliance with their facility cap for carbon monoxide. It also requires instantaneous monitoring to confirm proper operation of the engines.

6NYCRR Part 227-1.3(a): This condition requires that the facility perform daily observations for any visual emissions from the engines and to keep a record of such observations. The facility may be required to perform a Method 9 when needed.

6NYCRR Part 227-2.3(c): This condition requires that the facility submit a NOx RACT operating plan for the internal combustion engines at the facility and inform the Department of any changes to the plan.

6NYCRR Part 227-2.4(f)(2)(iii): This condition requires the facility to conduct instantaneous NOx testing semiannually using a portable NOx analyzer in order to show compliance with the NOx



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RACT standard of 2.0 grams/brake horsepower-hour in the period between formal stack testing. Another condition under this same rule requires the facility to measure and record oxygen levels in the exhaust stack of each engine on a daily basis to ensure that the facility is limiting their NOx emissions from each engine to 2.0 grams per brake horsepower-hour or less (for engines 1-14).

6NYCRR Part 227-2.6(c): This condition requires the facility to complete emission testing on an internal combustion engine in order to show compliance with the NOx RACT limit of 2.0 grams per brake horsepower -hour limit.

6NYCRR Part 201-7.1: This condition, required by 6NYCRR Part 231-8.6, limits Seneca Energy to the projected actual emissions for the High BTU Plant to 100,424 tons per year (TPY) carbon dioxide equivalents (CO₂e). The facility must maintain records in a format acceptable to the Department.

6NYCRR Part 212.4(a): These conditions require the facility to perform stack testing on the thermal oxidizer and the back up flare to ensure that the devices are meeting the control requirements for Part 212 contaminants, hydrogen sulfide and NMOC. Stack testing will establish operating temperatures for the flare and the oxidizer and the facility is required to maintain records that show the proper operation for these devices. In order to demonstrate reduction of hydrogen sulfide the facility will measure the inlet of the process before the treatment system and the outlet at the control device.

6NYCRR Part 212.6(a): This condition requires that the facility perform daily observations for any visual emissions from the engines and to keep a record of such observations. The facility may be required to perform a Method 9 when needed.

6NYCRR Part 231-8: These conditions require the facility to do a stack test on the thermal oxidizer and the back up flare to determine that BACT is being met for the reduction of methane (99.96%). The inlet for the stack test will be at the inlet of the process prior to treatment and the outlet will be at the outlet of the control device.

40CFR60.752(b)(2)(iii)(C); These conditions require the facility to treat the landfill gas prior to use in the engine plant or the High BTU plant in order to be exempt from the control requirements of 40 CFR 60 Subpart WWW for landfill gas. The conditions contain operating requirements for the systems and the facility must maintain appropriate records.

40CFR63.6(e)(3): The facility's treatment system are subject to the requirement of this part to maintain a startup, shutdown and malfunction (SSM) plan. These conditions require the facility to develop a plan and then maintain records where they had to implement the plan or if anything occurred that was not within the plan.



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 8-4532-00075/00029

Renewal Number: 2

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