

Facility DEC ID: 1282403186

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 1-2824-03186/00001
Effective Date: 04/09/2024 Expiration Date: 04/08/2034

Permit Issued To: UNISON ENERGY LLC
22 WEST PUTMAN AVENUE
GREENWICH, CT 06830

TRECO/ELWOOD LIMITED PARTNERSHIP
C/O ALBERT KRULL
10 E PALISADES AVE
ENGLEWOOD, NJ 07631

Contact: ANDY COOPER
UNISON ENERGY LLC
22 WEST PUTNAM AVENUE
GREENWICH, CT 06830-2613
(914) 412-7180

Facility: SHOPRITE PLAINVIEW SUPERMARKET
444 WOODBURY RD|NCTM# 12-E-38
PLAINVIEW, NY 11803

Description:
This is an Air State Facility Permit Renewal for a ShopRite facility: distributed generation consisting of one 450 kW, and one 400 kW natural gas-fired combustion engine generator to provide electricity to the ShopRite Plainview facility.

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: KEVIN A KISPERT
SUNY @ STONY BROOK
50 CIRCLE RD
STONY BROOK, NY 11790

Authorized Signature: _____ Date: ____ / ____ / ____

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Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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- 5 5 Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS

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

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3

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

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

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 1 Headquarters
Division of Environmental Permits
Stony Brook University
50 Circle Road
Stony Brook, NY 11790-3409
(631) 444-0365

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ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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PLAINVIEW, NY 11803

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES

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EU=0-001DG

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FEDERALLY ENFORCEABLE CONDITIONS

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**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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required to operate such device effectively.

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

(a) Except as otherwise provided by this Part, construction or operation of a new, modified or existing air contamination source without a registration or permit issued pursuant to this Part is prohibited.

(b) If an existing facility or emission source was subject to the permitting requirements of this Part at the time of construction or modification, and the owner or operator failed to apply for a permit or registration as described in this Part, the owner or operator must apply for a permit or registration in accordance with the provisions of this Part. The facility or emission source is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing emission sources.

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

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

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

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

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

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item H: Proof of Eligibility for Sources Defined as Trivial

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Activities - 6 NYCRR 201-3.3 (a)

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

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

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Visible Emissions Limited
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:6 NYCRR 211.2

Item 1.1:

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

Condition 2: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:6 NYCRR 222.4 (a)

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Effective May 1, 2021, owners or operators of economic dispatch sources subject to Part 222 must comply with the following requirements: combustion turbines, compression-ignition engines, and lean-burn engines must employ an emission source of model year 2000 or newer or must have a NOx emission rate less than or equal to 2.96 pounds per megawatt-hour as certified in writing by a professional engineer. This certification must be maintained, at the facility or at a Department approved alternative location, until the emission source has performed an approved stack test which confirms compliance

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with the emission limits in 222.4(a).

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement: 6 NYCRR 222.4 (b)

Item 3.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a natural gas fired spark ignited engine used as an economic dispatch source must meet a NOx emission limit of 1.0 g/bhp-hr.

The owner or operator must conduct an initial compliance test for NOx prior to the May 1, 2025 compliance date (unless a compliance time extension, as allowed under 222.4(c), has been granted). At least 15 days prior to the test, the owner or operator of the source must notify the Regional Air Pollution Control Engineer in writing the scheduled date of the emissions test. Written test protocols are required only if the test method listed in 222.5(b)(2) will not be used during the emissions testing.

In such case, the emissions test may not commence until 15 calendar days following the Department's approval of the protocols.

Each emissions test must be conducted at the maximum load relief of the economic dispatch source. Also, the span of the monitoring system used to conduct the test must be selected such that the pollutant gas concentration equivalent to the emission limit is not less than 30 percent of the span.

The owner or operator must submit an electronic copy of the emission test report to the Department within 60 calendar days after the completion of the test(s). In addition, the data collected during the test must be available to the Department in an electronic format acceptable to the Department. The emission test results must be maintained at a facility or at a Department approved alternate location for five years from the date

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of the emission test.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: Method 7E

Monitoring Frequency: SINGLE OCCURRENCE

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 4: Applicability of Subpart A General Provisions
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:40CFR 60, NSPS Subpart A

Item 4.1:

This emission source is subject to the applicable general provisions of 40 CFR 60. The facility owner is responsible for complying with all applicable technical, administrative and reporting requirements.

Condition 5: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ

Item 5.1:

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

Emission Unit: 0-001DG

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

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in 40 CFR 60.4233(d) or (e), must demonstrate compliance according to one of the methods specified in paragraphs (b)(2) of this section.

Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 CFR 60.4233(d) or (e) and according to the requirements specified in 40 CFR 60.4244, as applicable, and according to paragraphs(b)(2)(ii) of this section.

The owner or operator of a stationary SI internal

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combustion engine greater than 500 HP must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, therefore to demonstrate compliance.

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 2.00 grams per brake horsepower-hour

Reference Test Method: Method 10

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 6: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement: 40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ

Item 6.1:

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

Emission Unit: 0-001DG

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

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in 40 CFR 60.4233(d) or (e), must demonstrate compliance according to one of the methods specified in paragraphs (b)(2) of this section.

Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 CFR 60.4233(d) or (e) and according to the requirements specified in 40 CFR 60.4244, as applicable, and according

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to paragraphs(b)(2)(ii) of this section.

The owner or operator of a stationary SI internal combustion engine greater than 500 HP must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, therefore to demonstrate compliance.

Parameter Monitored: VOC

Upper Permit Limit: 0.7 grams per brake horsepower-hour

Reference Test Method: 18 & 25 A

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 7: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ

Item 7.1:

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

Emission Unit: 0-001DG

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

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a stationary SI internal combustion engine that must comply with the emission standards specified in 40 CFR 60.4233(d) or (e), must demonstrate compliance according to one of the methods specified in paragraphs(b)(2) of this section.

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Purchasing a non-certified engine and demonstrating compliance with the emission standards specified in 40 CFR 60.4233(d) or (e) and according to the requirements specified in 40 CFR 60.4244, as applicable, and according to paragraphs(b)(2)(ii) of this section.

The owner or operator of a stationary SI internal combustion engine greater than 500 HP must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, must conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, therefore to demonstrate compliance.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.00 grams per brake horsepower-hour

Reference Test Method: 7 E

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 8: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:40CFR 60.4243(g), NSPS Subpart JJJJ

Item 8.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

It is expected that air-to-fuel ratio (AFR) controllers will be used with the operation of oxidation catalyst. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 9: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement: 40CFR 60.4245(a), NSPS Subpart JJJJ

Item 9.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of stationary SI ICE that are subject to the provisions of 40 CFR Subpart JJJJ must meet the following notification, reporting and recordkeeping requirements.

- (1) All notifications submitted to comply with this subpart and all documentation supporting any notification.
- (2) Maintenance conducted on the engine.
- (3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable
- (4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 10: Subpart A provisions that apply to facilities subject to Subpart JJJJ
Effective between the dates of 04/09/2024 and 04/08/2034

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Applicable Federal Requirement:40CFR 60.4246, NSPS Subpart JJJJ

Item 10.1:

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.

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

Condition 11: Compliance Demonstration

Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:6 NYCRR 227-1.4 (a)

Item 11.1:

The Compliance Demonstration activity will be performed for the facility:

The Compliance Demonstration applies to:

Emission Unit: 0-001DG Emission Point: 00EP1

Emission Unit: 0-001DG Emission Point: 00EP2

Item 11.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a stationary combustion installation subject to this Subpart shall operate an emission source which exhibits greater than 20 percent opacity (based on a six minute average), except for one 6 minute period per hour of not more than 27 percent opacity. The owner or operator will conduct a Method 9 test annually. A report of the results of the test will be submitted to the Department within 30 days of the completion of the Method 9 test. All records generated by the permittee must be maintained at the facility or at an alternative location approved by the Department for a minimum of five years.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 40 CFR 60, Appendix A, Method 9

Monitoring Frequency: ANNUALLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2025.

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

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Condition 12: Applicability of facilities subject to Subpart JJJJ
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:40CFR 60.4230(a)(4)(i), NSPS Subpart JJJJ

Item 12.1:

This Condition applies to Emission Unit: 0-001DG

Item 12.2: The provisions of 40 CFR 60 Subpart JJJJ are applicable to manufacturers, owners, and operators of stationary spark ignition (SI) internal combustion engines (ICE) that commence construction after June 12, 2006, and 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). For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

Condition 13: Use of propane
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:40CFR 60.4243(e), NSPS Subpart JJJJ

Item 13.1:

This Condition applies to Emission Unit: 0-001DG

Item 13.2:

Owners and operators of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of 40 CFR 60.4233.

Condition 14: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement:40CFR 60.4245(c), NSPS Subpart JJJJ

Item 14.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-001DG

Item 14.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of stationary SI ICE greater than or equal to 500 HP that have not been certified by an engine manufacturer to meet the emission standards in §60.4231 must submit an initial notification as required in §60.7(a)(1). The notification must include the following:

- (1) Name and address of the owner or operator;
- (2) The address of the affected source;
- (3) Engine information including make, model, engine family, serial number, model year, maximum engine power, and engine displacement;
- (4) Emission control equipment; and
- (5) Fuel used.

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2025.

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

Condition 15: Performance test requirements
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable Federal Requirement: 40CFR 60.4245(d), NSPS Subpart JJJJ

Item 15.1:

This Condition applies to Emission Unit: 0-001DG

Item 15.2: Owners and operators of stationary SI ICE that are subject to performance testing must submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed.

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STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined in 6 NYCRR 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 demonstrate, 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 facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the 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 any 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 malfunction provision contained in any applicable requirement.

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

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

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with 6 NYCRR Part 616 - Public Access to Records.
 Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 16: Contaminant List

Effective between the dates of 04/09/2024 and 04/08/2034

Applicable State Requirement:ECL 19-0301

Item 16.1:

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: 0NY998-00-0
 Name: VOC

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Condition 17: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable State Requirement:6 NYCRR 201-1.4

Item 17.1:

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

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

(c) In the event that air contaminant emissions exceed any applicable emission standard due to a malfunction, the facility owner or operator shall notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. In addition, the facility owner or operator shall compile and maintain a record of all malfunctions. Such records shall be maintained at the facility for a period of at least five years and must be made available to the department upon request. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, the air contaminants emitted, and the resulting emission rates and/or opacity.

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

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

Condition 18: Emission Unit Definition
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 18.1:

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

Emission Unit: 0-001DG

Emission Unit Description:

Emission Unit 0001DG will consist of two natural gas-fired internal combustion (IC) engines. One unit (GEN1) will be used for providing primary power to the facility with an electrical output rating of 450 kW. The second (GEN2) unit will serve as a backup unit with an electrical output rating of 400 kW. Each engine will utilize an oxidation catalyst system for controlling CO and VOC emissions.

Condition 19: Renewal deadlines for state facility permits
Effective between the dates of 04/09/2024 and 04/08/2034

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

Item 19.1:

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

Condition 20: CLCPA Applicability
Effective between the dates of 04/09/2024 and 04/08/2034

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

Item 20.1:

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

Condition 21: Compliance Demonstration
Effective between the dates of 04/09/2024 and 04/08/2034

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

Item 21.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 21.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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Division of Air Resources
NYS Dept. of Environmental Conservation
Region 1
SUNY at Stony Brook
Building 40
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 22: Air pollution prohibited
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable State Requirement:6 NYCRR 211.1

Item 22.1:

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 23: Emission Point Definition By Emission Unit
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 23.1:

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

Emission Unit: 0-001DG

Emission Point: 00EP1

Height (ft.): 20 Diameter (in.): 8
NYTMN (km.): 4516.067 NYTME (km.): 626.464

Emission Point: 00EP2

Height (ft.): 20 Diameter (in.): 8
NYTMN (km.): 4516.067 NYTME (km.): 626.464

Condition 24: Process Definition By Emission Unit
Effective between the dates of 04/09/2024 and 04/08/2034

Applicable State Requirement:6 NYCRR Subpart 201-5

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Item 24.1:

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

Emission Unit: 0-001DG
Process: 001 Source Classification Code: 2-02-002-54
Process Description:
450 kW natural gas-fired IC engine, providing electricity
to facility.

Emission Source/Control: 0GEN1 - Combustion
Design Capacity: 450 kilowatts

Emission Source/Control: 0CAT1 - Control
Control Type: OXIDATION CATALYST

Item 24.2:

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

Emission Unit: 0-001DG
Process: 002 Source Classification Code: 2-02-002-54
Process Description:
400 kW natural gas-fired IC engine, providing electricity
to facility.

Emission Source/Control: 0GEN2 - Combustion
Design Capacity: 400 kilowatts

Emission Source/Control: 0CAT2 - Control
Control Type: OXIDATION CATALYST

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