

Facility DEC ID: 1472000355

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-4720-00355/00043
Effective Date: 04/28/2022 Expiration Date: 04/27/2027

Permit Issued To: SUFFOLK COUNTY
H LEE DENNISON BLDG
100 VETERANS MEMORIAL HWY
HAUPPAUGE, NY 11788

Contact: SOUTHWEST SEWER DISTRICT #3
SUFFOLK COUNTY DEPT OF PUBLIC WORKS
335 YAPHANK AVE
YAPHANK, NY 11980
(631) 852-4000

Facility: BERGEN POINT WWTP
600 BERGEN AVE|SCTM 100-241-1-1.1
W BABYLON, NY 11704

Contact: SOUTHWEST SEWER DISTRICT #3
SUFFOLK COUNTY DEPT OF PUBLIC WORKS
335 YAPHANK AVE
YAPHANK, NY 11980
(631) 852-4000

Description:
Suffolk County Sewer District No.3 Southwest is a 40.5 million gallon per day (mgd) wastewater treatment plant, which is located at Bergen Point in the Town of Babylon. The Bergen Point WWTP includes two (2) decommissioned multiple-hearth incinerators equipped with thermal afterburners, spray towers, venture scrubbers, and impingement plate scrubbers. The WWTP includes a 40.5 mgd scavenger waste facility consisting of septage dumping building, treatment tanks and filters. there are six (6) packed bed scrubber using liquid hypochlorite to remove trace organics from sludge conditioning off gas, prior to discharge through six stacks. There are four (4) emergency standby generators, two (2) standby turbines and four (4) cogeneration units - all permitted emission sources. There are also several exempt combustion sources.

This project consists of the renewal and modification of the Title V permit issued to Bergen Point Wastewater Treatment Plant (WWTP). The permit modification is to reflect the removal of the two (2) multiple hearth incinerators (Emission Unit U-00001), the ash silo (emission unit U-00004), two (2) 39.2 MMBtu/hr Cleaver Brook Boilers, and the addition of a sixth multi-stage chemical scrubber as an odor control

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system in the Headworks building. The modification also reflects an increase in capacity of from 30.5 to 40.5 mgd wastewater.

Three existing emission units (groups of emission sources) that were previously classified as exempt have been reclassified as permitted units: U-00010 Four Emergency Engine Generators; U-00011 Two Standby Turbine Generators; and U00012 Four Cogeneration Units. These emission units are subject to annual NOx emission limits as per 6 NYCRR Part 231 netting procedures. The turbines are subject to 6 NYCRR Subpart 227-2 Reasonably Available Control Technology (RACT) for Major Facilities of Oxides of Nitrogen (NOx). The NOx emission limit was set by a case-by-case RACT analysis.

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: SUSAN ACKERMAN
NYSDEC - REGION 1 SUNY @ STONY BROOK
50 CIRCLE RD
STONY BROOK, NY 11790-3409

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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DEC GENERAL CONDITIONS

**** General Provisions ****

For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.

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

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submitted prior to actual transfer of ownership.

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

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal - REGION 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 - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: SUFFOLK COUNTY
H LEE DENNISON BLDG
100 VETERANS MEMORIAL HWY
HAUPPAUGE, NY 11788

Facility: BERGEN POINT WWTP
600 BERGEN AVE | SCTM 100-241-1-1.1
W BABYLON, NY 11704

Authorized Activity By Standard Industrial Classification Code:
4952 - SEWERAGE SYSTEMS

Permit Effective Date: 04/28/2022

Permit Expiration Date: 04/27/2027

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- 9 5 6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
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- 13 7 6 NYCRR 202-2.1: Compliance Certification
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- 15 13 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
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- 17 17 6 NYCRR 202-1.1: Required Emissions Tests
- 17 18 40 CFR Part 68: Accidental release provisions.
- 17 19 40CFR 82, Subpart F: Recycling and Emissions Reduction
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- 20 21 6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
- 20 22 6 NYCRR 201-6.4 (f): Operational Flexibility
- 20 23 6 NYCRR 211.2: Visible Emissions Limited
- 20 24 6 NYCRR 225-1.2 (d): Compliance Certification
- 21 25 6 NYCRR 227-1.3 (c): Compliance Certification
- 22 26 6 NYCRR 227-1.4 (a): Compliance Certification
- 23 27 6 NYCRR 227-1.4 (a): Compliance Certification
- 24 28 6 NYCRR 227-2.4 (d): Compliance Certification
- 25 29 6 NYCRR 231-6.2: Compliance Certification
- 26 30 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 26 31 40CFR 60.4205(b), NSPS Subpart III: Compliance Certification
- 27 32 40CFR 60.4206, NSPS Subpart III: Duration of emission standards for new stationary compression ignition IC engines
- 28 33 40CFR 60.4211(a), NSPS Subpart III: Compliance Certification
- 29 34 40CFR 60.4211(c), NSPS Subpart III: Compliance Certification
- 30 35 40CFR 60.4214(b), NSPS Subpart III: Compliance Certification

Emission Unit Level

EU=U-00010,Proc=EDI,ES=00033

- 30 36 6 NYCRR 231-2.7: Compliance Certification
- 31 37 40CFR 63.6603(a), Subpart ZZZZ: Compliance Certification
- 32 38 40CFR 63.6625(e), Subpart ZZZZ: Compliance Certification
- 33 39 40CFR 63.6625(f), Subpart ZZZZ: Compliance Certification

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- 33 40 40CFR 63.6655(e), Subpart ZZZZ: Compliance Certification
- 34 41 40CFR 63.6655(f), Subpart ZZZZ: Compliance Certification

EU=U-00010,Proc=EDI,ES=00036

- 35 42 40CFR 60.4209(a), NSPS Subpart IIII: Compliance Certification

EU=U-00011

- 35 43 6 NYCRR Subpart 201-6: Compliance Certification
- 36 44 6 NYCRR 227-2.5 (c): Compliance Certification
- 37 45 6 NYCRR 231-6.2: Compliance Certification
- 37 46 40CFR 60.4333, NSPS Subpart KKKK: Compliance Certification
- 38 47 40CFR 60.4390, NSPS Subpart KKKK: Compliance Certification

EU=U-00012

- 38 48 6 NYCRR 231-6.2: Compliance Certification
- 39 49 40CFR 60.4233(e), NSPS Subpart JJJJ: Compliance Certification
- 40 50 40CFR 60.4234, NSPS Subpart JJJJ: Length of time a facility is subject to Subpart JJJJ
- 40 51 40CFR 60.4243(b)(1), NSPS Subpart JJJJ: Compliance by purchasing a certified engine
- 40 52 40CFR 60.4245(a), NSPS Subpart JJJJ: Compliance Certification

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- 43 53 ECL 19-0301: Contaminant List
- 43 54 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 44 55 6 NYCRR 201-6.5 (a): CLCPA Applicability
- 44 56 6 NYCRR 211.1: Air pollution prohibited

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 2/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

The items listed below are not subject to the annual compliance certification requirements under Title V. Permittees may also have other obligations under regulations of general applicability.

Item A: 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 B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 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 C: Certification by a Responsible Official - 6 NYCRR 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.

Item D: Requirement to Comply With All Conditions - 6 NYCRR 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 E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 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

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reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item F: 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 G: 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 H: Severability - 6 NYCRR 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 I: Permit Shield - 6 NYCRR 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

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facility for any violation of applicable requirements prior to or at the time of permit issuance;

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 J: Reopening for Cause - 6 NYCRR 201-6.4 (i)

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of 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 the 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 section 201- 6.6 of this Subpart.

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

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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

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)

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.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS AT ALL TIMES**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements at all times.

**Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 04/28/2022 and 04/27/2027**

Applicable Federal Requirement: 6 NYCRR 200.6**Item 1.1:**

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

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contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: Fees

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (7)

Item 2.1:

The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0303.

Condition 3: Recordkeeping and Reporting of Compliance Monitoring

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (c)

Item 3.1:

The following information must be included in any required compliance monitoring records and reports:

- (i) The date, place, and time of sampling or measurements;
- (ii) The date(s) analyses were performed;
- (iii)The company or entity that performed the analyses;
- (iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;
- (v) The results of such analyses including quality assurance data where required; and
- (vi) The operating conditions as existing at the time of sampling or measurement.

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.2 of Part 201.

Condition 4: Records of Monitoring, Sampling, and Measurement

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (2)

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all

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reports required by the permit.

Condition 5: Compliance Certification**Effective between the dates of 04/28/2022 and 04/27/2027****Applicable Federal Requirement: 6 NYCRR 201-6.4 (c) (3) (ii)****Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

Submit reports of any required monitoring at a minimum frequency of every 6 months, based on a calendar year reporting schedule. These reports shall be submitted to the Department within 30 days after the end of a reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by the responsible official for this facility.

Notify the Department and report permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

- (1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
- (2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.
- (3) For all other deviations from permit requirements,

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the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.2(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual

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report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.4(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2022.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 6 NYCRR 201-6.4 (e)

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Requirements for compliance certifications with terms and conditions contained in this facility permit include the following:

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as

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specified in any special permit terms or conditions;
and
- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.

iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters. The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All annual compliance certifications may be submitted electronically or physically. Electronic reports shall be submitted using the Department's Air Compliance and Emissions Electronic-Reporting system (ACE). If the facility owner or operator elects to send physical copies instead, two copies shall be sent to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office) and one copy shall be sent to the Administrator (or his or her representative). The mailing addresses for the above referenced persons are:

Chief – Air Compliance Branch
USEPA Region 2 DECA/ACB
290 Broadway, 21st Floor
New York, NY 10007

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
NYSDEC- Region 1 Headquarters
Stony Brook University
50 Circle Road
Stony Brook, NY 11790-3409

The address for the BQA is as follows:

NYSDEC

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2023.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:
The Compliance Certification activity will be performed for the Facility.

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due by April 15th for previous calendar year

Condition 8: Recordkeeping requirements
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:
(a) The following records shall be maintained for at least five years:

(1) a copy of each emission statement submitted to the department; and

(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.

Condition 9: Open Fires - Prohibitions
Effective between the dates of 04/28/2022 and 04/27/2027

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Applicable Federal Requirement: 6 NYCRR 215.2**Item 9.1:**

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

Item 9.2

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
- (k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
- (l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.

[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 10: Maintenance of Equipment
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:

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

Condition 11: Recycling and Salvage
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

Where practical, the owner or operator of an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

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

Condition 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 04/28/2022 and 04/27/2027

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

Item 13.1:

The owner or operator of an emission source or activity that is listed as being exempt may be required to certify that it is operated within the specific criteria described in this Subpart. The

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owner or operator of any such emission source or activity must maintain all records necessary for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

Condition 14: Trivial Sources - Proof of Eligibility

Effective between the dates of 04/28/2022 and 04/27/2027

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

Item 14.1:

The owner or operator of an emission source or activity that is listed as being trivial in this Section may be required to certify that it is operated within the specific criteria described in this Subpart. The owner or operator of any such emission source or activity must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request.

Condition 15: Requirement to Provide Information

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (4)

Item 15.1:

The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the administrator initiated the request for information or otherwise has need of it.

Condition 16: Right to Inspect

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (a) (8)

Item 16.1:

The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

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(iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

Condition 17: Required Emissions Tests
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 17.1:
 For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 18: Accidental release provisions.
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40 CFR Part 68

Item 18.1:
 If a chemical is listed in Tables 1,2,3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1,2,3 or 4, the following requirements will apply:

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
 - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
 - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

Risk Management Plan Reporting Center
 C/O CSC
 8400 Corporate Dr
 Carrollton, Md. 20785

Condition 19: Recycling and Emissions Reduction
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 82, Subpart F

Item 19.1:
 The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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The following conditions are subject to annual compliance certification requirements for Title V permits only.

Condition 20: Emission Unit Definition

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 20.1:

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

Emission Unit: U-00003

Emission Unit Description:

This emission unit consists of six (6) packed bed scrubbers using liquid hypochlorite to remove hydrogen sulfide and trace organics from liquid and solids open processes prior to discharge through six (6) stacks. Liquid and solids open processes process up to 40.5 mgd of wastewater, emitting VOC and HAPs. These liquid and solid processes include:

- Two (2) scavenger waste holding tanks
- Two (2) scavenger waste chemical tanks
- Two (2) equalization tanks and pump station for scavenger waste treatment
- Three (3) cyclone de-gritters (scavenger waste)
- Main influent wet well
- Three (3) grit tanks
- Eight (8) primary settling tanks
- Twelve (12) aeration tanks
- Eight (8) final clarifiers
- Three (3) sludge blending tanks
- Three (3) gravity belt thickeners
- One (1) scum handling system
- Eight (8) belt presses
- Effluent wet well
- One (1) UV treatment system

- Building(s): C0606
C0610
C0613
C0614
C0615
C0616
C0617
C0618
C0619
C1107

Item 20.2:

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

Emission Unit: U-00010

Emission Unit Description:

Four emergency engine generators including: P&S Engine Generator, Cummins, model no. 750DFJA, 750 kW (Emission Source ID 00033, Emission Point ID ST-33)

Trailer-Mounted Diesel Engine Generator 1, Cummins, model no. DOGAA-543445, 1,250 kW (Emission Source ID 00034, Emission Point ID ST-34)

Trailer-Mounted Diesel Engine Generator 1, Cummins, model no. DOGAA-543445, 1,250 kW (Emission Source ID 00035, Emission Point ID ST-35)

UV Disinfection Engine Generator - Cummins Model No. 750DQCB; 750 kW, certified to 2012 EPA Tier 2 exhaust emission (Emission Source ID 00036, Emission Point ID ST-36)

All process ID = EDI (Emergency Diesel Internal Combustion Engine)

Building(s): C0606

Item 20.3:

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

Emission Unit: U-00011

Emission Unit Description:

Two (2) turbine generators Standby Turbine Generator 1 and Standby Turbine Generator 2, (Emission Source ID 00037 and 00038, Common stack ST-37)

Siemens 501-KB5, both turbines drive single 10,000 hp generator, no. 2 fuel oil

Siemens 501-KB5, both turbines drive single 10,000 hp generator, no. 2 fuel oil

Each Standby Generator is for use during emergencies only, and is limited to operating no more than 500 hours per year.

Process ID = SDT (Standby Diesel Turbines)

Item 20.4:

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

Emission Unit: U-00012

Emission Unit Description:

Four (4) cogeneration units Model: TECOGEN Model No. CM-75 75 kW natural-gas-fired co-gen unit (Emission Source IDs 00039, 00040, 00041 and 00042 and respective stacks ST-39, ST-40, ST-41 and ST-42)

Building(s): C0610

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Condition 21: Progress Reports Due Semiannually
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (d) (4)

Item 21.1:

Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

- (i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- (ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

Condition 22: Operational Flexibility
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 201-6.4 (f)

Item 22.1:

A permit modification is not required for changes that are provided for in the permit. Such changes include approved alternate operating scenarios and changes that have been submitted and approved pursuant to an established operational flexibility protocol and the requirements of this section. Each such change cannot be a modification under any provision of Title I of the Clean Air Act or exceed, or cause the facility to exceed, an emissions cap or limitation in the permit. The facility owner or operator must incorporate all changes into any compliance certifications, record keeping, and/or reporting required by the permit.

Condition 23: Visible Emissions Limited
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 211.2

Item 23.1:

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

Condition 24: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

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

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

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Item 24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Owners or operators of emission sources that fire distillate oil are limited to a 0.0015 percent sulfur content by weight of the fuel. Compliance with the sulfur-in-fuel limitation is based on fuel vendor receipts. All fuel vendor receipts must be maintained on site or at a Department approved alternative location for a minimum of five years.

Note: Compliance with this condition ensures compliance with the sulfur requirements of NSPS KKKK "Standards of Performance for Stationary Combustion Turbines"

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: .0015 percent by weight

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2022.

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

Condition 25: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

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

Item 25.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00010

Emission Unit: U-00011

Emission Unit: U-00012

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a stationary combustion

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installation must perform an annual tune-up on each emission source subject to 6 NYCRR Subpart 227-1. Records of the tune-up shall be maintained at the facility or at a Department approved alternative location for a minimum of five years. The records shall, at a minimum, include the date the tune-up(s) occurred and the details of the tune-up procedures for each emission source.

Monitoring Frequency: ANNUALLY
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 7/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 26: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

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

Item 26.1:

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

| | |
|------------------------|-----------------------|
| Emission Unit: U-00010 | Emission Point: ST-33 |
| Emission Unit: U-00010 | Emission Point: ST-34 |
| Emission Unit: U-00010 | Emission Point: ST-35 |
| Emission Unit: U-00010 | Emission Point: ST-36 |
| Emission Unit: U-00011 | Emission Point: ST-37 |
| Emission Unit: U-00012 | Emission Point: ST-39 |
| Emission Unit: U-00012 | Emission Point: ST-40 |
| Emission Unit: U-00012 | Emission Point: ST-41 |
| Emission Unit: U-00012 | Emission Point: ST-42 |

Item 26.2:

Compliance Certification 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

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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: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 27: Compliance Certification**Effective between the dates of 04/28/2022 and 04/27/2027****Applicable Federal Requirement: 6 NYCRR 227-1.4 (a)****Item 27.1:**

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00010

Emission Unit: U-00011

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil firing emission sources subject to 6 NYCRR Subpart 227-1 which do not employ a continuous opacity monitor for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each emission source which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - date and time of day
 - observer's name
 - identity of the emission point
 - weather conditions

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- was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) for two consecutive days while firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 28: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 6 NYCRR 227-2.4 (d)

Item 28.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 28.2:

Compliance Certification shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a small boiler, small combustion turbine, or small internal combustion engine must perform an annual tune-up of their equipment. This tune-up should be performed in accordance with the requirements of the DAR-5 guidance document. Records of each tune-up must be kept on-site for a minimum of five years.

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

Condition 29: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 6 NYCRR 231-6.2

Item 29.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00010

Process: EDI

Emission Source: 00034

Emission Unit: U-00010

Process: EDI

Emission Source: 00035

Emission Unit: U-00010

Process: EDI

Emission Source: 00036

Regulated Contaminant(s):

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

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Total NOX emissions from the Trailer-Mounted Diesel Engine Generator 1, Cummins, model no. DOGAA-543445; Trailer-Mounted Diesel Engine Generator 2, Cummins, model no. DOGAA-543445; and UV Disinfection Engine Generator - Cummins Model No. 750DQCB are limited to 12.17 tons per year (combined between the three engines).

The facility will calculate emissions using emission factors from 40 CFR 60 Subpart IIII along with engine usage data.

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Data and calculations used to determine compliance with this limit must be maintained at the facility for a period of at least five years.

(The limit in this condition is based on a potential to emit of 4.56 tons per year per generator for Trailer-Mounted Generators 1&2 and 3.05 tons per year for the UV Disinfection Generator.)

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 12.17 tons per year
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2022.
Subsequent reports are due every 6 calendar month(s).

Condition 30: EPA Region 2 address.
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 30.1:

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

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

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

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

Condition 31: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 60.4205(b), NSPS Subpart III

Item 31.1:

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

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Emission Unit: U00010 Emission Point: ST-35
 Process: EDI Emission Source: 00035

Emission Unit: U00010 Emission Point: ST-36
 Process: EDI Emission Source: 00036

Item 32.2:

Owners and operators of stationary combustion ignition internal combustion engine (CI ICE) must operate and maintain the stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 over the entire life of the engine.

Condition 33: Compliance Certification
 Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 40CFR 60.4211(a), NSPS Subpart IIII

Item 33.1:

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

Emission Unit: U-00010 Emission Source: 00034
 Process: EDI

Emission Unit: U-00010 Emission Source: 00035
 Process: EDI

Emission Unit: U-00010 Emission Source: 00036
 Process: EDI

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
 Monitoring Description:

The owner or operator of a stationary CI internal combustion engine must comply with the emission standards specified in 40 CFR 60 Subpart IIII and must do all of the following:

- (1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;
- (2) Change only those emission-related settings that are permitted by the manufacturer; and
- (3) Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to the facility

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

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Facility DEC ID: 1472000355

DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 34: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 40CFR 60.4211(c), NSPS Subpart IIII

Item 34.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00010

Process: EDI

Emission Source: 00034

Emission Unit: U-00010

Process: EDI

Emission Source: 00035

Emission Unit: U-00010

Process: EDI

Emission Source: 00036

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power.

The engine must be installed and configured according to the manufacturer's specifications.

The manufacturer's certification of compliance with the emission standards specified in 40 CFR 60 Subpart IIII for major pollutants will be sent to the Department prior to commencement of operation of the engines.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 35: Compliance Certification

Permit ID: 1-4720-00355/00043

Facility DEC ID: 1472000355

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 60.4214(b), NSPS Subpart IIII

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For stationary CI internal combustion engines that are emergency stationary internal combustion engines, the owner or operator is not required to submit an initial notification.

Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter.

The owner must record the time of operation of the engine and the reason the engine was in operation during that time.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2022.

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

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

Condition 36: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 231-2.7

Item 36.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: EDI

Emission Source: 00033

Regulated Contaminant(s):

Permit ID: 1-4720-00355/00043

Facility DEC ID: 1472000355

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

Item 36.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

NOx emissions from the P&S Engine Generator, Cummins
Model No. 750DFJA are limited to 6.83 tons per year.

The facility will calculate emissions using an appropriate
emission factor from AP-42 Chapter 3.4 along with engine
usage data.

Data and calculations used to determine compliance with
this limit must be maintained at the facility for a period
of at least five years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 6.83 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2022.

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

Condition 37: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 40CFR 63.6603(a), Subpart ZZZZ

Item 37.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: EDI

Emission Source: 00033

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of an existing emergency and black
start compression ignition stationary RICE located at an
area source of HAP emissions must comply with the
following maintenance procedures:

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Facility DEC ID: 1472000355

- (1) Change oil and filter every 500 hours of operation or annually, whichever comes first;
- (2) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
- (3) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

Initial compliance will be demonstrated according to the provisions in 40 CFR 63.6630.

Continuous compliance will then be demonstrated according to 40 CFR 63.6640. The facility must keep records according to the provisions in 40 CFR 63.6655 and submit the notifications and reports listed in 40 CFR 63.6645 and 63.6650.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 38: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 40CFR 63.6625(e), Subpart ZZZZ

Item 38.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: EDI

Emission Source: 00033

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must operate and maintain its existing P&S Engine Generator, Cummins diesel engine identified as emission source: 00033 of EU:U-00010 according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 39: Compliance Certification

Permit ID: 1-4720-00355/00043

Facility DEC ID: 1472000355

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 63.6625(f), Subpart ZZZZ

Item 39.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: EDI

Emission Source: 00033

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners or operators of an existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions or an existing emergency stationary RICE located at an area source of HAP emissions, must install a non-resettable hour meter if one is not already installed.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 40: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 63.6655(e), Subpart ZZZZ

Item 40.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: EDI

Emission Source: 00033

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that he/she operated and maintained the stationary RICE and after-treatment control device (if any) according to the maintenance plan for the following stationary RICE;

(1) An existing stationary RICE with a site rating of less than 100 brake horsepower located at a major source of HAP emissions.

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(2) An existing stationary emergency RICE.

(3) An existing stationary RICE located at an area source of HAP emissions subject to management practices as shown in Table 2d to subpart ZZZZ.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 41: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 63.6655(f), Subpart ZZZZ

Item 41.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00010

Process: EDI

Emission Source: 00033

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operation of any of the stationary RICE in paragraphs (1) or (2) below, requires the owner/operator to keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for demand response operation, the owner or operator must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response.

(1) An existing emergency stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions that does not meet the standards applicable to non-emergency engines.

(2) An existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines.

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Permit ID: 1-4720-00355/00043

Facility DEC ID: 1472000355

Work Practice Type: HOURS PER YEAR OPERATION
 Upper Permit Limit: 500 hours per year
 Monitoring Frequency: MONTHLY
 Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 7/30/2022.
 Subsequent reports are due every 6 calendar month(s).

Condition 44: Compliance Certification
 Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 6 NYCRR 227-2.5 (c)

Item 44.1:
 The Compliance Certification activity will be performed for:

Emission Unit: U-00011

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

Item 44.2:
 Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The concentration of NOx in the exhaust gas of a turbine may not exceed 177 ppmvd @ 15% O2. Compliance will be determined by emissions testing.

The owner or operator shall submit a testing protocol to the Department for approval a minimum of 90 days prior to any stack testing.

The owner or operator will maintain records on-site for a minimum of five years.

Parameter Monitored: OXIDES OF NITROGEN
 Upper Permit Limit: 177 parts per million by volume
 (dry, corrected to 15% O2)
 Reference Test Method: 40 CFR 60 Appendix A - Method 20
 Monitoring Frequency: Once every five years
 Averaging Method: 1-HOUR AVERAGE
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 7/30/2022.
 Subsequent reports are due every 6 calendar month(s).

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Facility DEC ID: 1472000355

Condition 45: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 6 NYCRR 231-6.2

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00011

Regulated Contaminant(s):

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

Item 45.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Total NOX emissions from the turbines are limited to
16.65 tons per year (combined between the two
turbines).

The facility will calculate emissions using
manufacturer-provided emission factors and turbine usage
data.

Data and calculations used to determine compliance with
this limit must be maintained at the facility for a period
of at least five years.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 16.65 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2022.

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

Condition 46: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 40CFR 60.4333, NSPS Subpart KKKK

Item 46.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00011

Item 46.2:

Permit ID: 1-4720-00355/00043

Facility DEC ID: 1472000355

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility must operate and maintain stationary combustion turbines, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 47: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:40CFR 60.4390, NSPS Subpart KKKK

Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00011

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If you operate an emergency combustion turbine, you are exempt from the NOx limit and must submit an initial report to the Administrator stating your case.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 48: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement:6 NYCRR 231-6.2

Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00012

Regulated Contaminant(s):

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

Item 48.2:

Permit ID: 1-4720-00355/00043

Facility DEC ID: 1472000355

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Total NOX emissions from the cogeneration units are limited to 4.17 tons per year (combined between the four engines).

The facility will calculate emissions using emission factors/limits from 40 CFR 60 Subpart, JJJJ along with engine usage data.

Data and calculations used to determine compliance with this limit must be maintained at the facility for a period of at least five years.

(The limit in this condition is based on a potential to emit of 1.04 tons per year per unit)

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 4.17 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2022.

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

Condition 49: Compliance Certification

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable Federal Requirement: 40CFR 60.4233(e), NSPS Subpart JJJJ

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00012

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The four SI ICE engines of EU: U-00012 must comply with the following emissions standards in Table 1 to NSPS JJJJ:

NO_x = 1 g/BHP-hr;

CO = 2 g/BHP-hr; and

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VOC = 0.7 g/BHP-hr

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 50: Length of time a facility is subject to Subpart JJJJ
Effective between the dates of 04/28/2022 and 04/27/2027**

Applicable Federal Requirement:40CFR 60.4234, NSPS Subpart JJJJ

Item 50.1:

This Condition applies to Emission Unit: U-00012

Item 50.2: Owners and operators of stationary SI ICE must operate and maintain stationary SI ICE that achieve the emission standards as required in §60.4233 over the entire life of the engine.

**Condition 51: Compliance by purchasing a certified engine
Effective between the dates of 04/28/2022 and 04/27/2027**

Applicable Federal Requirement:40CFR 60.4243(b)(1), NSPS Subpart JJJJ

Item 51.1:

This Condition applies to Emission Unit: U-00012

Item 51.2:

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) demonstrates compliance by purchasing an engine certified according to procedures specified in subpart JJJJ, for the same model year and demonstrating compliance according to one of the methods specified in 40 CFR 63.4243(a).

**Condition 52: Compliance Certification
Effective between the dates of 04/28/2022 and 04/27/2027**

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

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00012

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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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

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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: 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

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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 applicable requirements and are not subject to compliance certification requirements unless otherwise noted or required under 6 NYCRR Part 201.

Condition 53: Contaminant List

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable State Requirement: ECL 19-0301

Item 53.1:

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Condition 54: Malfunctions and Start-up/Shutdown Activities

Effective between the dates of 04/28/2022 and 04/27/2027

Applicable State Requirement: 6 NYCRR 201-1.4

Item 54.1:

(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,

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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 55: CLCPA Applicability
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable State Requirement:6 NYCRR 201-6.5 (a)

Item 55.1:

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 56: Air pollution prohibited
Effective between the dates of 04/28/2022 and 04/27/2027

Applicable State Requirement:6 NYCRR 211.1

Item 56.1:

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

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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.

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