

Facility DEC ID: 1472200112

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 1-4722-00112/00007
Effective Date: 05/16/2024 Expiration Date: 05/15/2034

Permit Issued To: FINAL GIFT USA LLC
2 DANIELS WAY
CRANSTON, RI 02921

Contact: RANDALL BRYANT
2 DANIELS WAY
CRANSTON, RI 02921
(407) 797-4290

Facility: FINAL GIFT USA LLC
760 MIDDLE COUNTRY RD
MIDDLE ISLAND, NY 11953

Description:

This is a renewal of Final Gift USA's Air State Facility permit. The facility was formerly known as Regency Forest Pet Memorial Cemetery and there has been a change in the ownership which caused the name change. The facility opts for an increase in the operating hours and days maintaining the same annual throughput for operational flexibility. The facility is limited to emit less than 45000 pounds per year of oxides of Nitrogen, NOx.

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By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: SHERRI L AICHER
 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 ******
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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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: FINAL GIFT USA LLC
2 DANIELS WAY
CRANSTON, RI 02921

Facility: FINAL GIFT USA LLC
760 MIDDLE COUNTRY RD
MIDDLE ISLAND, NY 11953

Authorized Activity By Standard Industrial Classification Code:
7261 - FUNERAL SERVICE AND CREMATORIES

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EU=0-00001

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NOTE: * preceding the condition number indicates capping.

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 2/FINAL

**** 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: Acceptable Ambient Air Quality
Effective between the dates of 05/16/2024 and 05/15/2034

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

Condition 2: Open Fires - Prohibitions
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable Federal Requirement:6 NYCRR 215.2

Item 2.1:

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 2.2

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

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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.

Condition 3: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 3.1:

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 4: Exempt Sources - Proof of Eligibility
Effective between the dates of 05/16/2024 and 05/15/2034

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

Item 4.1:

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 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.

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Condition 5: Trivial Sources - Proof of Eligibility
Effective between the dates of 05/16/2024 and 05/15/2034

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

Item 5.1:

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 6: Required Emissions Tests
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 6.1:

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 7: Facility Permissible Emissions
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable Federal Requirement:6 NYCRR 201-7.1 (a)

Item 7.1:

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following
Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0	PTE: 45,000 pounds per year
Name: OXIDES OF NITROGEN	

Condition 8: Capping Monitoring Condition
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable Federal Requirement:6 NYCRR 201-7.1 (a)

Item 8.1:

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

6 NYCRR 201-6.1

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Item 8.2:

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

Item 8.3:

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

Item 8.4:

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 8.5:

The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 8.6:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 8.7:

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The facility is limited to emit less than 45000 pounds per year of Oxides of Nitrogen, NOx. The owner or operator shall calculate the total annual oxides of nitrogen emissions based on the following formula

$$P \times 3.56 < 45,000 \text{ lb/yr of NO}_x,$$

P is the amount of carcass cremated in Tons/ yr.

3.56 is the Emission factor, in lbs of NOx / each ton of carcass cremated, which is based on AP 42 - 2.3.

The data and calculations shall be maintained on site for a minimum of five years.

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Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 45000 pounds per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL ROLLED MONTHLY

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 9: Visible Emissions Limited
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable Federal Requirement:6 NYCRR 211.2

Item 9.1:

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.

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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 10: Contaminant List

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Applicable State Requirement:ECL 19-0301

Item 10.1:

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

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

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

Condition 11: Malfunctions and Start-up/Shutdown Activities

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Applicable State Requirement:6 NYCRR 201-1.4**Item 11.1:**

(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 12: Emission Unit Definition**Effective between the dates of 05/16/2024 and 05/15/2034****Applicable State Requirement:6 NYCRR Subpart 201-5****Item 12.1:**

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

Emission Unit: 0-00001

Emission Unit Description:

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Facility DEC ID: 1472200112

The unit includes eight multi-chamber incinerators that cremate animal bodies, animal body parts, and associated animal bedding. Each refractory-lined primary chamber has a natural gas burner and emissions are controlled by an afterburner. Incinerator 00100 and S0013 have a maximum animal loading rate of 250 lbs/hr and a maximum natural gas input of 1.60 MMBtu/hr. Incinerator 00080 has a maximum animal loading rate of 500 lbs/hr. Incinerator 00090 has a maximum animal loading rate of 300 lbs/hr. Incinerators 00110, 00120, 00060, and 00070 have a maximum animal loading rate of 150 lbs/hr and a maximum natural gas input of 1.5 MMBtu/hr.

Building(s): Crematory

Condition 13: Renewal deadlines for state facility permits
Effective between the dates of 05/16/2024 and 05/15/2034

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

Item 13.1:

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 14: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

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

Item 14.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Permit ID: 1-4722-00112/00007

Facility DEC ID: 1472200112

Condition 15: Air pollution prohibited
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement:6 NYCRR 211.1

Item 15.1:

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

Condition 16: Operating Requirements - Allowed Materials
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement:6 NYCRR 219-4.4 (d)

Item 16.1:

No person may combust materials other than human and animal remains, their associated containers, pathological waste, and incidental animal bedding in any cremation unit unless prior written authorization has been obtained from the Department.

Condition 17: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement:6 NYCRR 219-4.4 (e)

Item 17.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 17.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

No person may cause or allow the combustion of human and animal remains in any cremation unit unless a cremation certification form has been completed. Each cremation certification form shall contain the following information at a minimum:

(1) The name, title, and affiliation of the person providing the remains for cremation;

(2) An attestation signed by the person providing the remains for cremation attesting that the remains and their container do not contain materials prohibited from being combusted by 6 NYCRR Subpart 219-4;

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(3) The name and signature of the person accepting the remains for cremation; and

(4) The date the remains were accepted for cremation.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 18: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement: 6 NYCRR 219-4.5

Item 18.1:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 18.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- (a) Upon request by the department, the owner or operator of a crematory facility must demonstrate compliance with the requirements of this Subpart by either conducting onsite testing or submitting a representative stack test for an identical unit.
- (b) Onsite stack testing conducted to demonstrate compliance with subdivision (a) of this section must be conducted pursuant to a department approved testing protocol. The facility owner or operator must submit a testing protocol to the department at least 30 days prior to the commencement of testing pursuant to Part 202 of this Title.
- (c) Representative stack tests submitted to demonstrate compliance with subdivision (a) of this section must include the following information:
 - (1) a letter signed by the facility owner or operator certifying that the test report being submitted is for an identical cremation unit;
 - (2) a copy of the testing protocol that was used;
 - (3) a description of the testing methods used, including any deviations from established reference test methods;
 - (4) a description of all quality assurance, data reduction, and any other operating practices followed; and
 - (5) testing results demonstrating compliance with the

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standards of this subpart in units of measurement identical to those described in this Subpart.

(d) The department may require the owner or operator of a crematory facility submitting a representative stack test to perform a stack test if the submitted test protocol or report does not meet the department's standards for approval.

(e) The department may require the owner or operator of a crematory facility to perform an air dispersion modeling analysis using procedures acceptable to the department to evaluate the impacts of the facility on the surrounding community.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 19: Operator Training and Certification
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement:6 NYCRR 219-4.6 (a)

Item 19.1:

No cremation unit subject to the requirements of 6 NYCRR Subpart 219-4 is permitted to operate unless it is operated under the onsite supervision of a person possessing a valid crematory operator certification issued by the Department.

Condition 20: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement:6 NYCRR 219-4.7 (a)

Item 20.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 20.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a crematory facility must inspect each cremation unit at that facility at least once per calendar year. The facility owner or operator shall perform all necessary repairs and routine maintenance in order to ensure that each cremation unit, monitoring device, and control device is operated and maintained in accordance with manufacturer's instructions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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Condition 21: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement: 6 NYCRR 219-4.8 (a)

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:

The owner or operator of a crematory facility must maintain the following records at the facility for a period of at least five years:

- (1) Continuous secondary chamber temperature monitoring records indicating the date and time of each cremation performed;
- (2) Operator training and certification records for all operators at the facility;
- (3) A record of the date, time, and cause of all malfunctions and any corrective action taken to resolve them;
- (4) A record of any maintenance performed on each cremation unit, including the annual inspection required by 6 NYCRR Section 219-4.7, and the routine replacement of parts and components; and
- (5) A copy of each cremation certification form created pursuant to 6 NYCRR Subdivision 219-4.4(e).

All records kept pursuant to this condition must be provided to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 22: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement: 6 NYCRR 219-4.8 (b)

Item 22.1:

The Compliance Demonstration activity will be performed for the Facility.

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Item 22.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a crematory facility must maintain the following records at the facility for the lifetime of each cremation unit installed at the facility:

- (1) Manufacturer's operating instructions for each cremation unit and any associated monitoring equipment or emissions controls; and
- (2) A copy of the most recent stack test submitted to the Department to demonstrate compliance with the requirements of 6 NYCRR Subpart 219-4.

Records kept pursuant to this condition must be provided to the Department upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 23: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement: 6 NYCRR 219-4.9

Item 23.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 23.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a cremation unit constructed on or before March 14, 2020 shall:

- (1) Obtain appropriate operator certifications, as described in 6 NYCRR Section 219-4.6, by March 14, 2021 for each uncertified operator at the facility;
- (2) Demonstrate compliance with the requirements of 6 NYCRR Subpart 219-4 no later than March 14, 2025. A demonstration of final compliance shall include the following information for each existing cremation unit:
 - (i) An emissions testing report, as described in 6 NYCRR

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Section 219-4.5, indicating that each existing cremation unit meets the particulate matter emission limit specified in 6 NYCRR Subdivision 219-4.3(a);

(ii) Documentation indicating that each existing cremation unit meets the requirements of 6 NYCRR Subpart 219-4;

(iii) Documentation of the certification status of each operator at the facility.

(3) The owner or operator of an existing cremation unit may submit a written request for a single extension of the deadline described in paragraph (2) above. The request shall describe in detail the circumstances necessitating the extension and shall propose a projected final compliance date. The Department, in its sole discretion, shall approve or deny the request on a case by case basis.

For existing cremation units that cannot meet the requirements of Subpart 219-4, the owner or operator shall submit a written plan to the Department that describes the proposed schedule for the replacement or removal of the affected cremation unit. Such written plan must be submitted within 60 days of the owner or operator becoming aware that the unit cannot meet the requirements of Subpart 219-4.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

**Condition 24: Emission Point Definition By Emission Unit
Effective between the dates of 05/16/2024 and 05/15/2034**

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 24.1:

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

Emission Unit: 0-00001

Emission Point: 00006

Height (ft.): 26

Diameter (in.): 24

NYTMN (km.): 4527.579

NYTME (km.): 673.131

Building: Crematory

Emission Point: 00007

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Height (ft.): 26	Diameter (in.): 24	
NYTMN (km.): 4527.579	NYTME (km.): 673.131	Building: Crematory
Emission Point: 00008		
Height (ft.): 26	Diameter (in.): 48	
NYTMN (km.): 4527.579	NYTME (km.): 673.131	Building: Crematory
Emission Point: 00009		
Height (ft.): 26	Diameter (in.): 30	
NYTMN (km.): 4527.579	NYTME (km.): 673.131	Building: Crematory
Emission Point: 00010		
Height (ft.): 26	Diameter (in.): 36	
NYTMN (km.): 4527.579	NYTME (km.): 673.131	Building: Crematory
Emission Point: 00011		
Height (ft.): 26	Diameter (in.): 24	
NYTMN (km.): 4527.579	NYTME (km.): 673.131	Building: Crematory
Emission Point: 00012		
Height (ft.): 26	Diameter (in.): 24	
NYTMN (km.): 4527.579	NYTME (km.): 673.131	Building: Crematory
Emission Point: 00013		
Height (ft.): 26	Diameter (in.): 48	
NYTMN (km.): 4527.579	NYTME (km.): 673.131	Building: Crematory

Condition 25: Process Definition By Emission Unit
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 25.1:

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

Emission Unit: 0-00001
 Process: 013 Source Classification Code: 5-02-001-01
 Process Description:
 The process involves the incineration of animal carcasses, animal parts, and associated animal bedding. The burners of the incinerators are fueled with natural gas.

Emission Source/Control: 00060 - Incinerator
 Design Capacity: 150 pounds per hour
 Waste Feed Method: MANUAL DIRECT FEED
 Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Emission Source/Control: 00070 - Incinerator
 Design Capacity: 150 pounds per hour

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Waste Feed Method: MANUAL DIRECT FEED
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Emission Source/Control: 00080 - Incinerator
Design Capacity: 500 pounds per hour
Waste Feed Method: MANUAL DIRECT FEED
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Emission Source/Control: 00090 - Incinerator
Design Capacity: 300 pounds per hour
Waste Feed Method: MANUAL DIRECT FEED
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Emission Source/Control: 00100 - Incinerator
Design Capacity: 250 pounds per hour
Waste Feed Method: MANUAL DIRECT FEED
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Emission Source/Control: 00110 - Incinerator
Design Capacity: 150 pounds per hour
Waste Feed Method: MANUAL DIRECT FEED
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Emission Source/Control: 00120 - Incinerator
Design Capacity: 150 pounds per hour
Waste Feed Method: MANUAL DIRECT FEED
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Emission Source/Control: S0013 - Incinerator
Design Capacity: 250 pounds per hour
Waste Feed Method: MANUAL DIRECT FEED
Waste Type: CREMATORY WASTE (INCLUDING HUMAN AND/OR ANIMAL BODY PARTS AND ASSOCIATED ANIMAL BEDDING) ONLY

Condition 26: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement: 6 NYCRR 219-4.3 (a)

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Facility DEC ID: 1472200112

Item 26.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 26.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No person may cause or allow emissions of particulates into the outdoor atmosphere from an existing cremation unit in excess of 0.08 grains per dry standard cubic foot of flue gas, corrected to seven percent oxygen.

Compliance with this condition will be demonstrated according to the stack testing requirements outlined in 6 NYCRR Section 219-4.5.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.08 grains per dry standard cubic foot (corrected to 7% O2)

Reference Test Method: EPA Reference Test Method 5

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Averaging Method: Arithmetic average of stack test runs

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 27: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement:6 NYCRR 219-4.4 (a)

Item 27.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Item 27.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

No person may cause or allow emissions to the outdoor atmosphere having a six-minute average opacity of 10 percent or greater from any cremation unit. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during

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facility operation.

Parameter Monitored: OPACITY
Upper Permit Limit: 10 percent
Reference Test Method: EPA Reference Test Method 9
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 28: Compliance Demonstration
Effective between the dates of 05/16/2024 and 05/15/2034

Applicable State Requirement: 6 NYCRR 219-4.4 (b)

Item 28.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 0-00001

Item 28.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The owner or operator of a cremation unit must maintain a one-hour average temperature of at least 1600 degrees Fahrenheit in the secondary combustion chamber, with a minimum residence time for combustion gases of at least one second, at all times remains are being cremated.

The owner or operator of a cremation unit must install, operate, calibrate, and maintain, in accordance with manufacturer's instructions, instruments for continuously monitoring and recording the secondary chamber combustion temperature.

Parameter Monitored: TEMPERATURE
Lower Permit Limit: 1600 degrees Fahrenheit for at least
one second for residence time
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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