

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NORTH SHORE TOWERS APARTMENTS INC
272-40 GRAND CENTRAL PARKWAY
FLORAL PARK, NY 11005-1302

Facility: N SHORE TOWERS APT TOTAL ENERGY PLANT
272-40 GRAND CENTRAL PKWY
FLORAL PARK, NY 11005

Authorized Activity By Standard Industrial Classification Code:
6513 - APARTMENT BUILDING OPERATORS

Mod 0 Permit Effective Date: 04/19/2013

Permit Expiration Date: 04/18/2018

Mod 1 Permit Effective Date:

Permit Expiration Date:



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- 30 1-16 6 NYCRR Subpart 231-10: Compliance Certification
- 31 1-17 40CFR 60, NSPS Subpart IIII: Compliance and Enforcement
- 31 1-18 40CFR 60, NSPS Subpart JJJJ: Compliance and Enforcement
- 31 27 40CFR 63, Subpart ZZZZ: Applicability
- 32 1-19 40CFR 63, Subpart ZZZZ: Compliance and Enforcement
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- 32 28 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
- 33 29 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=U-FAC01

- 34 48 6 NYCRR 227-2.5 (c): Compliance Certification
- 35 1-20 6 NYCRR 227-2.6: Compliance Certification
- 36 30 6 NYCRR 227-2.6: Compliance Certification

EU=U-FAC01,EP=00001

- 37 1-21 6 NYCRR 227-1.3 (a): Compliance Certification
- 38 1-22 6 NYCRR 227-2.5 (c): Compliance Certification
- 39 49 6 NYCRR 227-2.5 (c): Compliance Certification
- 40 50 6 NYCRR 227-2.5 (c): Compliance Certification

EU=U-FAC01,EP=00001,Proc=001

- 42 31 6 NYCRR 227-1.3: Compliance Certification

EU=U-FAC01,EP=00001,Proc=001,ES=0001A

- 43 32 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC01,EP=00001,Proc=001,ES=0001B

- 44 33 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC01,EP=00001,Proc=001,ES=0001C

- 45 34 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC01,EP=00001,Proc=001,ES=0001D

- 46 35 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC01,EP=00001,Proc=001,ES=0001E

- 47 36 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC01,EP=00001,Proc=001,ES=0001F

- 48 37 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC02

- 49 39 6 NYCRR 227-2.4 (c) (1) (i): Compliance Certification
- 49 1-23 6 NYCRR 227-2.5 (c): Compliance Certification
- 50 51 6 NYCRR 227-2.5 (c): Compliance Certification
- 51 52 6 NYCRR 227-2.5 (c): Compliance Certification
- 51 1-24 6 NYCRR 227-2.6: Compliance Certification
- 52 38 6 NYCRR 227-2.6: Compliance Certification

EU=U-FAC02,EP=00002

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53 1-25 6 NYCRR 227-1.3 (a): Compliance Certification

EU=U-FAC02,EP=00002,Proc=007

54 40 6 NYCRR 227-1.3: Compliance Certification

EU=U-FAC02,EP=00002,Proc=007,ES=0002A

56 41 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC02,EP=00002,Proc=007,ES=0002B

57 42 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC02,EP=00002,Proc=007,ES=0002C

58 43 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC02,EP=00002,Proc=007,ES=0002D

59 44 6 NYCRR 227.2 (b) (1): Compliance Certification

EU=U-FAC03

60 1-26 6 NYCRR 227-2.4 (f) (1): Compliance Certification

60 1-27 6 NYCRR 231-6.2: Compliance Certification

61 1-28 6 NYCRR 231-6.2: Compliance Certification

EU=U-FAC03,Proc=003,ES=0001G

62 1-29 40CFR 60, NSPS Subpart JJJJ: Compliance Certification

EU=U-FAC03,Proc=003,ES=0001H

63 1-30 40CFR 60, NSPS Subpart JJJJ: Compliance Certification

EU=U-FAC03,Proc=003,ES=0001I

65 1-31 40CFR 60, NSPS Subpart JJJJ: Compliance Certification

EU=U-FAC03,EP=0001A

66 1-32 6 NYCRR 227-1.3 (a): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

68 45 ECL 19-0301: Contaminant List

69 1-33 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities

69 46 6 NYCRR 201-1.4: Unavoidable noncompliance and violations

70 47 6 NYCRR 211.2: Visible Emissions Limited



FEDERALLY ENFORCEABLE CONDITIONS

**** 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: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item B: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10 (b)

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

Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 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

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than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: 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 E: 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 F: 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 reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4 (a) (5)

It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR 201-6.4 (a) (6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item I: Severability - 6 NYCRR 201-6.4 (a) (9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item J: Permit Shield - 6 NYCRR 201-6.4 (g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6



NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

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



applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

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

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

Item L: Permit Exclusion - ECL 19-0305

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

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

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 04/19/2013 and Permit Expiration Date

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 1-1: Fees
Effective for entire length of Permit

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

Item 1-1.1:

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 1-2: Recordkeeping and Reporting of Compliance Monitoring
Effective for entire length of Permit

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

Item 1-2.1:

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 1-3: Records of Monitoring, Sampling, and Measurement



Effective for entire length of Permit

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

Item 1-3.1:

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 reports required by the permit.

Condition 1-4: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 201-6.4 (c) (3) (ii)

Item 1-4.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-4.2:

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, 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 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.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 1-5: Compliance Certification
Effective for entire length of Permit**

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

Item 1-5.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-5.2:

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 record keeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as 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

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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 – Stationary Source Compliance Section
USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

The address for the BQA is as follows:

NYSDEC
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 10/30/2013.
Subsequent reports are due on the same day each year

Condition 2: Fees
Effective between the dates of 04/19/2013 and Permit Expiration Date



Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (7)

Expired by Mod 1

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 04/19/2013 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 201-6.5 (c)

Expired by Mod 1

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 201-6.3 of this Part 201.

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 04/19/2013 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 201-6.5 (c) (2)

Expired by Mod 1

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 reports required by the permit.

**Condition 5: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date**



Applicable Federal Requirement:6 NYCRR 201-6.5 (c) (3) (ii)

Expired by Mod 1

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, 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.

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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 201-6.3(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 report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies 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). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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



Condition 6: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 201-6.5 (e)

Expired by Mod 1

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 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 compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies 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). Please send

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annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

USEPA Region 2
Air Compliance Branch
290 Broadway
New York, NY 10007-1866

The address for the RAPCE is as follows:

Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

The address for the BQA is as follows:

NYSDEC
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 10/30/2013.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

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.

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 04/19/2013 and Permit Expiration Date

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 04/19/2013 and Permit Expiration Date

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.

**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 04/19/2013 and Permit Expiration Date**

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 1-6: Recycling and Salvage
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 1-6.1:

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 11: Recycling and Salvage
Effective between the dates of 04/19/2013 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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



ECL.

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 04/19/2013 and Permit Expiration Date**

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 1-7: Exempt Sources - Proof of Eligibility
Effective for entire length of Permit**

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

Item 1-7.1:

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.

**Condition 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 04/19/2013 and Permit Expiration Date**

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

Item 13.1:

The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. 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 this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

**Condition 1-8: Compliance Certification
Effective for entire length of Permit**

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

Item 1-8.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-8.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:



AS PROOF OF EXEMPT ELIGIBILITY FOR THE EMERGENCY GENERATORS, THE FACILITY MUST MAINTAIN MONTHLY RECORDS WHICH DEMONSTRATE THAT EACH ENGINE IS OPERATED LESS THAN 500 HOURS PER YEAR, ON A 12-MONTH ROLLING TOTAL BASIS.

Work Practice Type: HOURS PER YEAR OPERATION
Upper Permit Limit: 500.0 hours
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 1-9: Trivial Sources - Proof of Eligibility
Effective for entire length of Permit

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

Item 1-9.1:

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 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 04/19/2013 and Permit Expiration Date

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

Item 14.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. 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 this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 1-10: Requirement to Provide Information
Effective for entire length of Permit

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

Item 1-10.1:

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 1-11: Right to Inspect
Effective for entire length of Permit

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

Item 1-11.1:

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

Condition 1-12: Off Permit Changes
Effective for entire length of Permit

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

Item 1-12.1:

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

- (i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- (ii) The permit shield described in section 6 NYCRR 201-6.4 shall not apply to any change made pursuant to this paragraph.



Condition 15: Standard Requirement - Provide Information
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (4)

Expired by Mod 1

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: General Condition - Right to Inspect
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-6.5 (a) (8)

Expired by Mod 1

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

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

Condition 17: Standard Requirements - Progress Reports
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-6.5 (d) (5)

Expired by Mod 1

Item 17.1:

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

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(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 18: Off Permit Changes

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 201-6.5 (f) (6)

Expired by Mod 1

Item 18.1:

No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

(i) For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(ii) The permit shield described in section 6 NYCRR 201-6.6 shall not apply to any change made pursuant to this paragraph.

Condition 19: Required Emissions Tests

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 19.1:

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 20: Accidental release provisions.

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:40 CFR Part 68

Item 20.1:

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:

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- 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 21: Recycling and Emissions Reduction
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:40CFR 82, Subpart F

Item 21.1:

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

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

Condition 22: Emission Unit Definition
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 22.1(From Mod 1):

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

Emission Unit: U-FAC01

Emission Unit Description:

This unit consists of three (3) Chicago Pneumatic internal combustion engines, emission sources 0001A, 0001B, 0001F, (c. 1974) dual-fuel fired diesel engines which are used to generate electrical power for the complex. The engines are equipped with catalytic oxidation controls. This emission unit has one emission point in an elevated position on the roof of building BLDG2.

Building(s): BLD2

Item 22.2(From Mod 1):

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

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Emission Unit: U-FAC02

Emission Unit Description:

Four Cleaver Brooks (CB 440-700) 29.29 MMBTU/HR boilers burning no. 2 oil and natural gas, venting to emission point 00002 located in BLDG2.

Building(s): BLD2

Item 22.3(From Mod 1):

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

Emission Unit: U-FAC03

Emission Unit Description:

This unit consists of three (3) Caterpillar (CAT) internal combustion natural gas fired engines (001G, 001H, 001I) which replaced three (3) Chicago Pneumatic internal combustion dual-fuel fired engines (emission sources 001C, 001D, 001E) formerly under under emission unit U-FAC01. All sources are equipped with catalytic oxidation controls.

Building(s): BLD2

Condition 23: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 23.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Pursuant to the facility's NOx RACT Plan dated December 20, 2004, during natural gas curtailment by the gas utility, number 2 oil may be used as the sole fuel.

The facility's representative shall notify the NYSDEC Region 2 Division of Air Resources, (718) 482-4944 of such curtailment within 48 hrs of the occurrence and maintain records as of the date and the duration of this occurrence and any possible emission limitations exceedances.

Monitoring Frequency: MONTHLY

Averaging Method: CALENDAR MONTH AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.



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

**Condition 1-13: Progress Reports Due Semiannually
Effective for entire length of Permit**

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

Item 1-13.1:

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 24: Air pollution prohibited
Effective between the dates of 04/19/2013 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR 211.1

Item 24.1:

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 1-14: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 225-1.6 (f)

Item 1-14.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-14.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Facility owners subject to this Subpart must submit a written report of the fuel sulfur content exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable sulfur-in-fuel limitation, measured emissions exceeding the applicable equivalent emission rate, and the nature and cause of such exceedances if known,

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for each calendar quarter, within 30 days after the end of any quarterly period in which an exceedance takes place.

Data collected pursuant to this Subpart must be tabulated and summarized in a form acceptable to the Department, and must be retained for at least five years. The owner of a Title V facility must furnish to the Department such records and summaries, on a semiannual calendar basis, within 30 days after the end of the semiannual period.

All other facility owners or distributors must submit these records and summaries upon request of the Department.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 25: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 225.1 (a) (3)

Item 25.1:

The Compliance Certification activity will be performed for the Facility.

Item 25.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:

No person shall sell, offer for sale, purchase or use any distillate oil which has sulfur content greater than 0.20 percent by weight. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.20 percent by weight

Reference Test Method: EPA Method

Monitoring Frequency: PER DELIVERY

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 1-15: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 225.7 (a)

Item 1-15.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-15.2:

Compliance Certification shall include the following monitoring:

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Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum: supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submittal to, NYSDEC upon request.

Upon request the owner or operator of a facility which purchases and fires coal or oil shall submit reports to the commissioner containing a fuel analysis, information on the quantity of the fuel received, burned. All records shall be available for a minimum of five years.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 26: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 225.7 (a)

Item 26.1:

The Compliance Certification activity will be performed for the Facility.

Item 26.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The permittee shall retain fuel oil supplier certifications for each shipment of oil received. Such certifications shall contain, as a minimum, supplier name, date of shipment, quantity shipped, heating value of the oil, oil sulfur content, and the method used to determine the sulfur content. Such certifications shall be available for inspection by, or submitted to, the NYSDEC as per the stated reporting requirement.

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 1-16: Compliance Certification

Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR Subpart 231-10

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Item 1-16.1:

The Compliance Certification activity will be performed for the Facility.

Item 1-16.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility replaced three (emission sources 0001C, 0001D, 0001E) of its six old Chicago Pneumatic dual fired engines with new Caterpillar internal combustion engines (emission sources (0001G, 0001H, 0001I) and created 59.5 tons of NO_x ERCs and 15.50 tons of VOC ERCs of which 40.87 tons of NO_x were used to keep the facility bellow the New Source Review trigger of 25 tons per year.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 1-17: Compliance and Enforcement
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII

Item 1-17.1:

The Department has not accepted delegation of 40 CFR Part 60 Subpart IIII. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 60 Subpart IIII during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

**Condition 1-18: Compliance and Enforcement
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 60, NSPS Subpart JJJJ

Item 1-18.1:

The Department has not accepted delegation of 40 CFR Part 60 Subpart JJJJ. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 60 Subpart JJJJ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

**Condition 27: Applicability
Effective between the dates of 04/19/2013 and Permit Expiration Date**

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

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Expired by Mod 1

Item 27.1:

Facilities that have reciprocating internal combustion engines must comply with applicable portions of 40 CFR 63 subpart ZZZZ.

**Condition 1-19: Compliance and Enforcement
Effective for entire length of Permit**

Applicable Federal Requirement:40CFR 63, Subpart ZZZZ

Item 1-19.1:

The Department has not accepted delegation of 40 CFR Part 63 Subpart ZZZZ. Any questions concerning compliance and/or enforcement of this regulation should be referred to USEPA Region 2, 290 Broadway, 21st Floor, New York, NY 10007-1866; (212) 637-4080. Should the Department decide to accept delegation of 40 CFR Part 63 Subpart ZZZZ during the term of this permit, enforcement of this regulation will revert to the Department as of the effective date of delegation.

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

**Condition 28: Emission Point Definition By Emission Unit
Effective between the dates of 04/19/2013 and Permit Expiration Date**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 28.1(From Mod 1):

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

Emission Unit: U-FAC01

Emission Point: 00001

Height (ft.): 352 Diameter (in.): 60
NYTMN (km.): 4512.544 NYTME (km.): 608.495 Building: BLD2

Item 28.2(From Mod 1):

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

Emission Unit: U-FAC02

Emission Point: 00002

Height (ft.): 352 Diameter (in.): 54
NYTMN (km.): 4512.544 NYTME (km.): 608.495 Building: BLD2

Item 28.3(From Mod 1):

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

Emission Unit: U-FAC03

Emission Point: 0001A

Height (ft.): 352

Diameter (in.): 60

NYTMN (km.): 4512.544 NYTME (km.): 608.495 Building: BLD2

Condition 29: Process Definition By Emission Unit
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 29.1(From Mod 1):

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

Emission Unit: U-FAC01

Process: 001

Source Classification Code: 2-02-004-01

Process Description: Firing No. 2 Fuel Oil

Emission Source/Control: 0001A - Combustion

Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001B - Combustion

Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001F - Combustion

Design Capacity: 1,350 kilowatts

Item 29.2(From Mod 1):

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

Emission Unit: U-FAC01

Process: 002

Source Classification Code: 2-02-004-02

Process Description: Firing Natural Gas 94% With 6% Pilot Oil

Emission Source/Control: 0001A - Combustion

Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001B - Combustion

Design Capacity: 1,500 kilowatts

Emission Source/Control: 0001F - Combustion

Design Capacity: 1,350 kilowatts

Item 29.3(From Mod 1):

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

Emission Unit: U-FAC02

Process: 007

Source Classification Code: 1-03-005-01

Process Description: Firing No. 2 Fuel Oil.



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Emission Source/Control: 0002A - Combustion
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002B - Combustion
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002C - Combustion
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002D - Combustion
Design Capacity: 29.29 million Btu per hour

Item 29.4(From Mod 1):

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

Emission Unit: U-FAC02
Process: 008 Source Classification Code: 1-03-006-02
Process Description: Firing Natural Gas

Emission Source/Control: 0002A - Combustion
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002B - Combustion
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002C - Combustion
Design Capacity: 29.29 million Btu per hour

Emission Source/Control: 0002D - Combustion
Design Capacity: 29.29 million Btu per hour

Item 29.5(From Mod 1):

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

Emission Unit: U-FAC03
Process: 003 Source Classification Code: 2-02-004-01
Process Description: Firing Natural Gas.

Emission Source/Control: 0001G - Combustion
Design Capacity: 1,650 kilowatts

Emission Source/Control: 0001H - Combustion
Design Capacity: 1,650 kilowatts

Emission Source/Control: 0001I - Combustion
Design Capacity: 1,650 kilowatts

Condition 48: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

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

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Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):

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

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of the internal combustion engines 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 10/30/2013.

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

**Condition 1-20: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 227-2.6

Item 1-20.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Regulated Contaminant(s):

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

Item 1-20.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The alternate NOx emission limit of 5.6 grams per brake horsepower-hour on an annual average rolled monthly basis for the engines under this emission unit must be verified by conducting an emissions test for three different loads (low, medium and high).

The emissions testing must be performed once during the term of the permit by:

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- (1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;
- (2) utilizing the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department for determining compliance with NO_x limit of 5.6 grams per break horse power-hour on an annual average rolled monthly basis, as specified in the December 20, 2004 NO_x RACT Variance and must, in addition, follow the procedures set forth in Part 202 of this Title and utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department; and
- (3) submitting a compliance test report containing the results of the emissions test to the department no later than 60 days after completion of the emission test.
- (4) Where "low" load is defined as 700 kilowatts, "medium" load is defined as 950 kilowatts, "high" load is defined as 1,150 kilowatts electrical output per engine. When engines are running on oil only, the "high" load is 1,250 kW.

Upper Permit Limit: 5.6 grams per brake horsepower-hour
Reference Test Method: Method 7, 7E, or 19 from 40 CFR part 60, Appendix
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 30: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-2.6

Expired by Mod 1

Item 30.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

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

Item 30.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The alternate NO_x emission limit of 5.6 grams per brake

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horsepower-hour on an annual average rolled monthly basis for the engines under this emission unit must be verified by conducting an emissions test for three different loads (low, medium and high).

The emissions testing must be performed once during the term of the permit by:

- (1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;
- (2) utilizing the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department for determining compliance with NO_x limit of 5.6 grams per break horse power-hour on an annual average rolled monthly basis, as specified in the December 20, 2004 NO_x RACT Variance and must, in addition, follow the procedures set forth in Part 202 of this Title and utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department; and
- (3) submitting a compliance test report containing the results of the emissions test to the department no later than 60 days after completion of the emission test.
- (4) Where "low" load is defined as 700 kilowatts, "medium" load is defined as 950 kilowatts, "high" load is defined as 1,150 kilowatts electrical output per engine. When engines are running on oil only, the "high" load is 1,250 kW.

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 10/30/2013.

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

Condition 1-21: Compliance Certification
Effective for entire length of Permit

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

Item 1-21.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

Item 1-21.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE



PARAMETERS AS SURROGATE

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 1-22: Compliance Certification
Effective for entire length of Permit

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

Item 1-22.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

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Permit ID: 2-6307-00339/00002

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

Item 1-22.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The emissions from engines 0001A, 0001B, and 00001F may be averaged in order to demonstrate compliance with an alternative standard of 5.6 gram/brake horsepower-hour (g/bhp-hr) on annual average, rolled monthly basis, as demonstrated by the NOx RACT Economic and Technological Analysis of December 20, 2004 and updated on September 14, 2012 submissions.

Until a new stack test is performed, the NOx emission rate of each engine and for all engines shall be based on the curves gm/bhp-hr vs KW load which were developed in the previous stack test which was conducted to satisfy a requirement of the 1995 Part 227-2 NOx RACT.

Each engines shall operate under ignition retard.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 5.6 grams per brake horsepower-hour
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

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

Expired by Mod 1

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01 Emission Point: 00001

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

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE



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PARAMETERS AS SURROGATE

Monitoring Description:

The emissions from engines 0001A, 0001B, 0001C, 0001D, 00001E, and 00001F may be averaged in order to demonstrate compliance with an alternative standard of 5.6 gram/brake horsepower-hour (g/bhp-hr) on annual average, rolled monthly basis, as demonstrated by the NOx RACT Economic and Technological Analysis of December 20, 2004 and updated on September 14, 2012 submissions.

Until a new stack test is performed , the NOx emission rate of each engine and for all engines shall be based on the curves gm/bhp-hr vs KW load which were developed in the previous stack test which was conducted to satisfy a requirement of the 1995 Part 227-2 NOx RACT.

Each engines shall operate under ignition retard.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 5.6 grams per brake horsepower-hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 50: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

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

Expired by Mod 1

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

Regulated Contaminant(s):

CAS No: 0NY210-00-0

OXIDES OF NITROGEN

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE

PARAMETERS AS SURROGATE

Monitoring Description:

In order to support the alternate NOx RACT emissions limit of 5.6 grams NOx per horsepower-hr on annual average, rolled monthly basis, the NOx emissions of all engines at the facility is limited to 240 tons per year on a 12 month average - rolled monthly basis.

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0001C, Until a new stack test is performed, the NOx emission rate of each engine and for all engines shall be based on the curves titled "DUAL-FUEL MODE NOx STACK TEST CURVE ENGINES: 0001A, 0001B, 0001D, 0001E, 0001F" which were developed as part of the facility's NOx RACT Plan and incorporated into the current Title V air permit on the basis of emissions stack testing data during the previous stack test which was conducted to satisfy a requirement of the 1995 Part 227-2 NOx RACT.

In addition the following should be used to determine the NOx emissions:

- A. Total fuel oil and natural gas consumption for the engine plant, in order to determine the percent operation in each mode.
- B. Engine-hours for each engine and total energy output from the engine plant, in kWh, in order to determine monthly average emissions for the plant.
- C. rolled monthly average NOx emissions for the engine plant, in g/bhp-hr, based on the most recent stack test results and curves titled "DUAL-FUEL MODE NOx STACK TEST CURVE ENGINES: 0001A, 0001B, 0001C, 0001D, 0001E, 0001F".

D. Calculated total NOx emissions from the entire facility, in tons, for the quarter and for the year to date.

2. All reports shall be submitted within thirty days after the end of each calendar semiannual period to:

The RAPCE
Division of Air Resources
NYS Department of Environmental

Conservation

Region 2
47-40 21st Street
Long Island City, NY 11101

3. All records required by this permit, as well as fuel purchase records, must be kept at the facility for the three most recent years, and must be made available upon request to a NYSDEC authorized agent.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 240 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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The initial report is due 10/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 31: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3

Item 31.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01 Emission Point: 00001
Process: 001

Item 31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired internal combustion engines which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each internal combustion engine which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - weather condition
 - was a plume observed?

This logbook must be retained at the facility for five (5) years after the date of the last entry.

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



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

Reference Test Method: EPA Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 32: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 32.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

Process: 001

Emission Source: 0001A

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2

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above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 33: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 33.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

Process: 001

Emission Source: 0001B

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.

2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.

3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.



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4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 34: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227.2 (b) (1)

Expired by Mod 1

Item 34.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

Process: 001

Emission Source: 0001C

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.

2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.

3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary

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combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 35: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Expired by Mod 1

Item 35.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

Process: 001

Emission Source: 0001D

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.



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Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.10 pounds per million Btus
Reference Test Method: EPA RM 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 36: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Expired by Mod 1

Item 36.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01 Emission Point: 00001
Process: 001 Emission Source: 0001E

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

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.



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Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 37: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 37.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC01

Emission Point: 00001

Process: 001

Emission Source: 0001F

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus



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Reference Test Method: EPA RM 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 39: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-2.4 (c) (1) (i)

Expired by Mod 1

Item 39.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):

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

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

This condition applies to distillate oil fired mid-size boilers and is applicable until June 30th 2014. The owner or operator shall submit a testing protocol to the Department for approval a minimum of 30 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: 0.12 pounds per million Btus

Reference Test Method: 40 CFR 60 Appendix A - Method 7, 7E, 19

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 1-23: Compliance Certification
Effective for entire length of Permit

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

Item 1-23.1:

The Compliance Certification activity will be performed for:

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Emission Unit: U-FAC02

Regulated Contaminant(s):

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

Item 1-23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of the boilers 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.

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

Condition 51: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

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

Expired by Mod 1

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):

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

Item 51.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of the boilers 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 10/30/2013.

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

Condition 52: Compliance Certification



Effective between the dates of 04/19/2013 and Permit Expiration Date

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

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):

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

Item 52.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

On or after July 1, 2014, the emissions from boilers under this emission unit may be averaged in order to demonstrate compliance with an alternative standard of 0.107 lbMMBtu on a 12 month average - rolled monthly basis, as demonstrated by the NOx RACT Economic and Technological Analysis of December 2011.

Monthly fuel usage records and NOx emissions calculated, shall be maintained by the facility as shown on Table 2 of the December 2011 NOx RACT Economic and Technological Analysis. The emission factors used in Table 2 shall be confirmed by Stack Testing.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 0.107 pounds per million Btus

Monitoring Frequency: MONTHLY

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 1-24: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 227-2.6

Item 1-24.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Regulated Contaminant(s):

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

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Item 1-24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The alternate NO_x emission limit of 0.107 lb/MMBtu on an annual average rolled monthly basis for the boilers under this emission unit must be verified by conducting an emissions test for low and high modes.

The emissions testing must be performed once during the term of the permit by:

- (1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;
- (2) utilizing the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department for determining compliance with NO_x limit as specified in the December 2011 NO_x RACT Variance and must, in addition, follow the procedures set forth in Part 202 of this Title and utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department; and
- (3) submitting a compliance test report containing the results of the emissions test to the department no later than 60 days after completion of the emission test.

Upper Permit Limit: 0.107 pounds per million Btus

Reference Test Method: Method 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 38: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227-2.6

Expired by Mod 1

Item 38.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

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Facility DEC ID: 2630700339



Regulated Contaminant(s):

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

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The alternate NOx emission limit of 0.107 lb/MMBtu on an annual average rolled monthly basis for the boilers under this emission unit must be verified by conducting an emissions test for low and high modes.

The emissions testing must be performed once during the term of the permit by::

- (1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;
- (2) utilizing the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department for determining compliance with NOx limit as specified in the December 2011 NOx RACT Variance and must, in addition, follow the procedures set forth in Part 202 of this Title and utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department; and
- (3) submitting a compliance test report containing the results of the emissions test to the department no later than 60 days after completion of the emission test.

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 10/30/2013.

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

Condition 1-25: Compliance Certification
Effective for entire length of Permit

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

Item 1-25.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Emission Point: 00002

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Item 1-25.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 40: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement:6 NYCRR 227-1.3

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Item 40.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02
Process: 007

Emission Point: 00002

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

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

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

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

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The distance between the stack and the beginning of the 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

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air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Reference Test Method: EPA Method
Monitoring Frequency: DAILY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 41: Compliance Certification
Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 41.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02 Emission Point: 00002
Process: 007 Emission Source: 0002A

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

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.



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Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 42: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 42.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Emission Point: 00002

Process: 007

Emission Source: 0002B

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

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Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 43: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Emission Point: 00002

Process: 007

Emission Source: 0002C

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT



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Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 10/30/2013.

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

Condition 44: Compliance Certification

Effective between the dates of 04/19/2013 and Permit Expiration Date

Applicable Federal Requirement: 6 NYCRR 227.2 (b) (1)

Item 44.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC02

Emission Point: 00002

Process: 007

Emission Source: 0002D

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 44.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

Upon request the facility shall perform the following:

1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.

2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.

3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.

4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



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Reports due 30 days after the reporting period.
The initial report is due 10/30/2013.
Subsequent reports are due every 6 calendar month(s).

Condition 1-26: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 227-2.4 (f) (1)

Item 1-26.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Regulated Contaminant(s):

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

Item 1-26.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

The oxides of nitrogen emission limit for the three new engines under this emission unit, installed after July 1, 2010, is 1.0 grams per brake horsepower-hour as required by 40CFR60 Subpart JJJJ. Hence, these engines would be in compliance with the presumptive NOx limit under Subpart 227-2 of 1.5 grams per brake horsepower-hour.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.5 grams per brake horsepower-hour

Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-27: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:6 NYCRR 231-6.2

Item 1-27.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 1-27.2:

Compliance Certification shall include the following monitoring:

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

To avoid New Source Review requirements, the annual VOC emissions are limited to 24.9 tons per year on a rolling monthly basis. Stack testing for the three new engines shall be conducted once every 5 years to confirm this limit.

The emissions testing must be performed once during the term of the permit by:

- (1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;
- (2) utilizing the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and follow the procedures set forth in Part 202 of this Title and utilize Method 25A/18 from 40 CFR part 60, Appendix A or another reference method approved by the department; and
- (3) submitting a compliance test report containing the results of the emissions test to the department no later than 60 days after completion of the emission test to

Regional Air Pollution Control Engineer
NYSDEC, Region 2
47-40 21st Street
Long Island City, NY 11101

Upper Permit Limit: 24.9 tons per year
Reference Test Method: METHOD 25A/18 from 40 CFR part 60, Appendix
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 1-28: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 231-6.2

Item 1-28.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

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

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Item 1-28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The netting yields an annual NO_x limit of 65.76 tons per year on a rolling monthly basis. Stack testing for the three new engines shall be conducted once every 5 years to confirm this limit.

The emissions testing must be performed once during the term of the permit by:

(1) submitting a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be specified and be acceptable to the department;

(2) utilizing the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and follow the procedures set forth in Part 202 of this Title and utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department; and

(3) submitting a compliance test report containing the results of the emissions test to the department no later than 60 days after completion of the emission test to

Regional Air Pollution Control Engineer
NYSDEC, Region 2
47-40 21st Street
Long Island City, NY 11101

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 65.76 tons per year

Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 1-29: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 60, NSPS Subpart JJJJ

Item 1-29.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Process: 003

Emission Source: 0001G

Regulated Contaminant(s):

CAS No: 000630-08-0	CARBON MONOXIDE
CAS No: 0NY998-00-0	VOC
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

Item 1-29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Oxides of Nitrogen for this engine, installed after July 1, 2010, is limited as stated bellow.

Sixty (60) days prior to testing, the owner/operator shall submit to the Department stack test protocol for review an approval.

Fifteen days (15) prior to testing, the owner/operator shall notify in writing the day(s) and time(s) of the testing.

Within forty five (45) days after the testing, the owner/operator shall submit to the Department stack test report for review and approval.

The above documents shall be sent to:

Regional Air Pollution Control Engineer
NYSDEC, Region 2
Division of Air resources
47-40 21st Street
Long island City, NY 11101

Monitoring frequency: Stack testing shall be conducted once every three years or every 8760 hours of operation, whichever occurs first.

In addition to the NOx stack testing 40 CFR 60 Subpart JJJJ requires testing for CO and VOCs.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 1-30: Compliance Certification
Effective for entire length of Permit

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Applicable Federal Requirement: 40CFR 60, NSPS Subpart JJJJ

Item 1-30.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Process: 003

Emission Source: 0001H

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

CAS No: 0NY998-00-0 VOC

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

Item 1-30.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Oxides of Nitrogen for this engine, installed after July 1, 2010, is limited as stated bellow.

Sixty (60) days prior to testing, the owner/operator shall submit to the Department stack test protocol for review an approval.

Fifteen days (15) prior to testing, the owner/operator shall notify in writing the day(s) and time(s) of the testing.

Within forty five (45) days after the testing, the owner/operator shall submit to the Department stack test report for review and approval.

The above documents shall be sent to:

Regional Air Pollution Control Engineer

NYSDEC, Region 2

Division of Air resources

47-40 21st Street

Long island City, NY 11101

Monitoring frequency: Stack testing shall be conducted once every three years or every 8760 hours of operation, whichever occurs first.

In addition to the NOx stack testing, 40 CFR 60 Subpart JJJJ requires testing for CO and VOCs.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)



New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339

Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 1-31: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement:40CFR 60, NSPS Subpart JJJJ

Item 1-31.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Process: 003

Emission Source: 0001I

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

CAS No: 0NY998-00-0 VOC

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

Item 1-31.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Oxides of Nitrogen for this engine, installed after July 1, 2010, is limited as stated bellow.

Sixty (60) days prior to testing, the owner/operator shall submit to the Department stack test protocol for review an approval.

Fifteen days (15) prior to testing, the owner/operator shall notify in writing the day(s) and time(s) of the testing.

Within forty five (45) days after the testing, the owner/operator shall submit to the Department stack test report for review and approval.

The above documents shall be sent to:

Regional Air Pollution Control Engineer

NYSDEC, Region 2

Division of Air resources

47-40 21st Street

Long island City, NY 11101

Monitoring frequency: Stack testing shall be conducted once every three years or every 8760 hours of operation, whichever occurs first.

In addition to the NOx stack testing, 40 CFR 60 Subpart JJJJ requires testing for CO and VOCs.

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 1.0 grams per brake horsepower-hour

Reference Test Method: METHOD 7, 7E, or 19 from 40 CFR part 60, Appendix

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 1-32: Compliance Certification
Effective for entire length of Permit**

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

Item 1-32.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-FAC03

Emission Point: 0001A

Item 1-32.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format

New York State Department of Environmental Conservation

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is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA Method 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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



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

**Condition 45: Contaminant List
Effective between the dates of 04/19/2013 and Permit Expiration Date**

Applicable State Requirement:ECL 19-0301

Item 45.1:

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

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

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

CAS No: 0NY210-00-0

New York State Department of Environmental Conservation

Permit ID: 2-6307-00339/00002

Facility DEC ID: 2630700339



Name: OXIDES OF NITROGEN

CAS No: 0NY998-00-0

Name: VOC

**Condition 1-33: Malfunctions and start-up/shutdown activities
Effective for entire length of Permit**

Applicable State Requirement:6 NYCRR 201-1.4

Item 1-33.1:

(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 malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, 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 stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and 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. 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, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the 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 46: Unavoidable noncompliance and violations
Effective between the dates of 04/19/2013 and Permit Expiration Date**

Applicable State Requirement:6 NYCRR 201-1.4



Item 46.1:

At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

(a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.

(b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.

(c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.

(d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take appropriate action to prevent emissions which will result in contravention of any applicable ambient air quality standard. Reasonably available control technology, as determined by the commissioner, shall be applied during any maintenance, start-up/shutdown or malfunction condition subject to this paragraph.

(e) 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.

Condition 47: Visible Emissions Limited
Effective between the dates of 04/19/2013 and Permit Expiration Date



Applicable State Requirement:6 NYCRR 211.2

Item 47.1:

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.

