

Facility DEC ID: 6304800126

**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility

Permit ID: 6-3048-00126/00002

Effective Date:

Expiration Date:

Permit Issued To: BURRSTONE ENERGY CENTER LLC  
22 CENTURY HILL DR STE 201  
LATHAM, NY 12110-2128

Contact: PETE RICHARDSON  
BURRSTONE ENERGY CENTER LLC  
22 CENTURY HILL DR  
LATHAM, NY 12110  
(518) 213-1010

Facility: BURRSTONE ENERGY CENTER CHP PLANT  
1656 CHAMPLIN AVE  
NEW HARTFORD, NY 13502

Description:

This Air State Facility Permit renewal is issued pursuant to Article 19 (Air Pollution Control) of the Environmental Conservation Law. This facility is located at Burrstone Energy Center CHP Plant, 1656 Champlin Ave; New Hartford, NY 13502.

This renewal allows the operation of emission unit 0-00001, which includes the operation of four internal combustion engines connected to electric generators with three of the engines having catalytic control to produce electricity for St. Luke's Hospital, St. Luke's Home, and Utica College. The operation also includes four heat recovery units that utilize the heat from the engine exhaust to produce steam for heating and other requirements at the facilities. The renewal also include the inclusion of requirements of EPA Regulation 40 CFR 63 subpart ZZZZ for Reciprocating Internal Combustion Engines. The facility has capped out of Title V Permitting requirements by tracking and restricting it's emissions of Carbon Monoxide to below emission levels of 100 tons per year, and formaldehyde to levels below 10 tons per year.

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

Permit Administrator: TODD J PHILLIPS  
NYSDEC - UTICA SUBOFFICE  
207 GENESEE ST  
UTICA, NY 13501

Authorized Signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_

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### Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

**Item 2.1:**

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

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

**Item 3.1:**

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

**Item 3.2:**

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

**Item 3.3**

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

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

**Item 4.1:**

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

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

**\*\*\*\* Facility Level \*\*\*\***

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

**Item 5.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
NYSDEC Regional Permit Administrator  
Region 6 Sub-office  
Division of Environmental Permits  
State Office Building, 207 Genesee Street  
Utica, NY 13501-2885  
(315) 793-2555

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**Permit Under the Environmental Conservation Law (ECL)**

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: BURRSTONE ENERGY CENTER LLC  
22 CENTURY HILL DR STE 201  
LATHAM, NY 12110-2128

Facility: BURRSTONE ENERGY CENTER CHP PLANT  
1656 CHAMPLIN AVE  
NEW HARTFORD, NY 13502

Authorized Activity By Standard Industrial Classification Code:  
4911 - ELECTRIC SERVICES  
4931 - ELEC & OTHER SERVICES COMBINED  
4961 - STEAM SUPPLY

Permit Effective Date:

Permit Expiration Date:

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NOTE: \* preceding the condition number indicates capping.



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**FEDERALLY ENFORCEABLE CONDITIONS**

Renewal 2/DRAFT

\*\*\*\* Facility Level \*\*\*\*

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

**Item A: Sealing - 6 NYCRR 200.5**

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

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

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

**Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6**

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

**Item C: Maintenance of Equipment - 6 NYCRR 200.7**

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

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required to operate such device effectively.

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

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

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

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

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

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

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

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

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

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

**Item H: Proof of Eligibility for Sources Defined as Trivial**

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**Activities - 6 NYCRR 201-3.3 (a)**

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

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

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

**Item J: Open Fires Prohibitions - 6 NYCRR 215.2**

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

**Item K: Permit Exclusion - ECL 19-0305**

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

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

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

**FEDERAL APPLICABLE REQUIREMENTS**  
**The following conditions are federally enforceable.**

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

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

**Item 1.1:**

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 2: Facility Permissible Emissions**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 2.1:**

The sum of emissions from the emission units specified in this permit shall not equal or exceed the following

Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 000050-00-0	PTE: 19,800 pounds per year
Name: FORMALDEHYDE	

CAS No: 000630-08-0	PTE: 194,000 pounds per year
Name: CARBON MONOXIDE	

**Condition 3: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR Subpart 201-7**

**Item 3.1:**

Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the

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purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 3.2:**

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

**Item 3.3:**

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

**Item 3.4:**

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

**Item 3.5:**

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

**Item 3.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000050-00-0      FORMALDEHYDE

**Item 3.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The owner/operator shall not allow emission of formaldehyde to exceed 9.9 tons per year on a 12 month rolling total basis. The owner/operator shall monitor the hours of operation of each engine, fuel flow of engines #1, #2, #3, and #4 and the operation of the catalyst if present, as detailed in other permit conditions. This information will be used in calculating the actual emissions of formadehyde to ensure the emissions shall not exceed 9.9 tons per 12 month rolling total.

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The calculation of actual emissions shall be based on hours of operation, fuel flow, rated horsepower, percent load and g/bhp-hr for formaldehyde emissions for each engine, incorporating oxidation catalyst control efficiency as appropriate. Verification of monthly formaldehyde emissions from all sources will be determined by calculations using emission factors acceptable to this Department. The owner/operator shall provide a report, with the required calculations and a demonstration of compliance with this limit to the department by the reporting deadlines contained below.

The owner/operator shall maintain all records for a minimum of five years and make these records available to the Department representative for inspection during normal business hours.

Parameter Monitored: FORMALDEHYDE

Upper Permit Limit: 9.9 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

**Condition 4: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR Subpart 201-7**

**Item 4.1:**

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

6 NYCRR Subpart 201-6

**Item 4.2:**

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

**Item 4.3:**

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

**Item 4.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of

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an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 4.5:**

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

**Item 4.6:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 4.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The owner/operator shall not allow emissions of carbon monoxide(CO) to exceed 97 tons per year on a 12 month rolling total. The owner/operator shall monitor the hours of operation of the engines, the fuel flow for engines #1, #2, #3, and #4 and the operation of the catalyst if present, as detailed in other permit conditions. This information will be used in calculating the actual emissions of carbon monoxide to ensure the emissions shall not exceed 97 tons per 12 month rolling total.

The calculation of the actual emissions of carbon monoxide will include the hours of operation, the horsepower of the engines, the percent load of the engines and the emission factor(in g/bhp-hr) of the engine, incorporating oxidation catalyst control efficiency as appropriate. Verification of monthly carbon monoxide emissions from all sources will be determined by calculations using emission factors acceptable to this Department. The owner/operator shall provide a report, with the required calculations and a demonstration of compliance with this limit to the department by the reporting deadlines contained below.

The owner/operator shall maintain all records for a minimum of five years and make these records available to the Department representative for inspection during normal business hours.

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Parameter Monitored: CARBON MONOXIDE  
 Upper Permit Limit: 97 tons per year  
 Monitoring Frequency: MONTHLY  
 Averaging Method: ANNUAL TOTAL ROLLED MONTHLY  
 Reporting Requirements: ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 12 calendar month(s).

**Condition 5: Facility Permissible Emissions  
 Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1 (d)**

**Item 5.1:**

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

CAS No: 000050-00-0 PTE: 19,800 pounds per year  
 Name: FORMALDEHYDE

CAS No: 000630-08-0 PTE: 194,000 pounds per year  
 Name: CARBON MONOXIDE

**Condition 6: Capping Monitoring Condition  
 Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1 (d)**

**Item 6.1:**

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

6 NYCRR Subpart 201-6

**Item 6.2:**

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

**Item 6.3:**

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

**Item 6.4:**

On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the



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facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

**Item 6.5:**

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

**Item 6.6:**

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

Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG1
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG2
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG3
Regulated Contaminant(s):	
CAS No: 000050-00-0	FORMALDEHYDE

**Item 6.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner/operator shall achieve 90% control efficiency of the catalyst for formaldehyde for engines #1, #2, and #3 by operating the catalyst at inlet temperature between 550-1250deg Fahrenheit. An emission test of the control efficiency for carbon monoxide (which is also a surrogate for formaldehyde) shall be conducted within 180 days of start up and as required below, according to 40 CFR 60, Appendix A method 10 or ASTM 6522 to verify control efficiency of the catalyst at the operating temperatures.

The testing procedures shall be performed per the provisions of 6 NYCRR Part 202-1. If an alternative methodology is opted for, then a protocol shall be submitted to the department for review 60 days prior to the anticipated emission test.

If the facility complies with applicable portions of 40 CFR 63 Subpart ZZZZ, then the facility is in compliance with this requirement.

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The results of the emission test shall be used by the owner/operator in the calculation of carbon monoxide emission from the facility that are limited to 97 tons per year on a 12 month rolling total basis and formaldehyde emissions from the facility that are limited to 9.9 tons per year on a 12 month rolling basis.

Upper Permit Limit: 90 percent reduction

Reference Test Method: Method 10 or ASTM D6522

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 7: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1 (d)**

**Item 7.1:**

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

6 NYCRR Subpart 201-6

**Item 7.2:**

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

**Item 7.3:**

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

**Item 7.4:**

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

**Item 7.5:**

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

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**Item 7.6:**

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

Emission Unit: 0-00001

Process: 001

Emission Source: 0ENG4

Regulated Contaminant(s):

CAS No: 000050-00-0

FORMALDEHYDE

**Item 7.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator shall not allow emissions of formaldehyde in excess of 0.3 g /bhp-hr for engine #4 (Emission Source 0ENG4), as specified by the manufacturer.

An emission test shall be conducted within 180 days of startup, according to 40 CFR 60, Appendix A method 320 or alternative approved methodology to verify emissions of formaldehyde from the source is not in excess of 0.3 g/bhp-hr.

The testing procedures shall be performed per the provisions of 6 NYCRR Part 202-1. If an alternative methodology is opted for, then a protocol shall be submitted to the department for review sixty(60) days prior to the anticipated emission test.

The results of the emission test shall be used by the owner/operator in the calculation of formaldehyde emission from the facility that are limited to 9.9 tons per year on a 12 month rolling total basis.

Upper Permit Limit: 0.3 grams per brake horsepower-hour

Reference Test Method: epa method 320

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 8: Capping Monitoring Condition  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-7.1 (d)**

**Item 8.1:**

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

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otherwise be subject to:

6 NYCRR Subpart 201-6

**Item 8.2:**

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

**Item 8.3:**

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

**Item 8.4:**

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

**Item 8.5:**

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

**Item 8.6:**

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

Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG1
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG2
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG3
Regulated Contaminant(s):	
CAS No: 000630-08-0	CARBON MONOXIDE

**Item 8.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes  
Monitoring Type: MONITORING OF PROCESS OR CONTROL  
DEVICE PARAMETERS AS SURROGATE  
Monitoring Description:  
The owner/operator shall maintain the emission of carbon

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monoxide (CO) from the catalyst on engines #1, #2, and #3 to 47 ppmvd. The owner/operator shall monitor the exhaust gas temperature at the inlet to each oxidation catalyst in the range of 550 deg F to 1250 deg F, except during periods of startup and shutdown. The CO Emissions and inlet temperatures shall be verified during emission testing. The owner/operator shall monitor catalyst inlet temperature during all periods of engine operation in order to maintain CO emissions from the catalyst.

If the facility meets requirements set forth in regulation 40 CFR 63, Subpart ZZZZ for the monitoring, recordkeeping, reporting, and operation, of the oxidation catalyst, then the facility is in compliance with this requirement.

Reports will be submitted in the time frame specified below, in a format that is acceptable to the department, which document that the temperature was monitored and maintained between the limits specified above.

The owner/operator shall maintain records that verify the temperature was monitored in a format acceptable to the department. These records must be maintained on-site for a period of five years.

Parameter Monitored: TEMPERATURE  
Lower Permit Limit: 550 degrees Fahrenheit  
Upper Permit Limit: 1250 degrees Fahrenheit  
Monitoring Frequency: CONTINUOUS  
Averaging Method: 4-HOUR ROLLING AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
Subsequent reports are due every 6 calendar month(s).

**Condition 9: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1 (d)**

**Item 9.1:**

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

6 NYCRR Subpart 201-6

**Item 9.2:**

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

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**Item 9.3:**

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

**Item 9.4:**

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

**Item 9.5:**

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

**Item 9.6:**

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

Emission Unit: 0-00001

Process: 001

Emission Source: 0ENG4

Regulated Contaminant(s):

CAS No: 000050-00-0

FORMALDEHYDE

**Item 9.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The owner/operator shall not cause or allow the emissions of formaldehyde in excess of 0.3 g/bhp-hr for the engine #4 (0ENG4). This limit shall be verified by emission testing and shall be maintained by the following:

- operating the engines at optimum running conditions as specified by the manufacturer
- regular maintenance of engines as specified by the manufacturer.

Fuel usage shall be monitored as an indicator of overall status of the combustion unit. Records of engine operation and maintenance will be maintained to ensure the emissions factor shall not exceed 0.3 g/bhp-hr.

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The owner/operator shall provide a report, with a demonstration of compliance with this requirement to the department by the reporting deadlines contained below. The owner/operator must maintain records that verify the engines operations and maintenance. These records must be maintained at the facility for five years.

Parameter Monitored: FUEL CONSUMPTION  
Upper Permit Limit: 0.3 grams per brake horsepower-hour  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL TOTAL 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 10: Capping Monitoring Condition**  
**Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1 (d)**

**Item 10.1:**

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

6 NYCRR Subpart 201-6

**Item 10.2:**

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

**Item 10.3:**

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

**Item 10.4:**

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

**Item 10.5:**

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

Permit ID: 6-3048-00126/00002

Facility DEC ID: 6304800126

**Item 10.6:**

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

Emission Unit: 0-00001

Process: 001

Emission Source: 0ENG4

Regulated Contaminant(s):

CAS No: 000630-08-0

CARBON MONOXIDE

**Item 10.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The owner/operator shall not cause or allow the emissions of carbon monoxide(CO) in excess of 2.6 g/bhp-hr for the engine #4 (0ENG4). This limit shall be verified by emission testing and shall be maintained by the following:

- operating the engines at optimum running conditions as specified by the manufacturer
- regular maintenance of engines as specified by the manufacturer.

Fuel usage shall be monitored as an indicator of overall status of the combustion unit. Records of engine operation and maintenance will be maintained to ensure the emissions factor shall not exceed 2.6 g/bhp-hr.

The owner/operator shall provide a report, with a demonstration of compliance with this requirement to the department by the reporting deadlines contained below. The owner/operator must maintain records that verify the engines operations and maintenance. These records must be maintained at the facility for five years.

Parameter Monitored: FUEL CONSUMPTION

Upper Permit Limit: 2.6 grams per brake horsepower-hour

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL TOTAL 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 11: Capping Monitoring Condition  
Effective for entire length of Permit**



Permit ID: 6-3048-00126/00002

Facility DEC ID: 6304800126

**Applicable Federal Requirement: 6 NYCRR 201-7.1 (d)**

**Item 11.1:**

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

6 NYCRR Subpart 201-6

**Item 11.2:**

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

**Item 11.3:**

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

**Item 11.4:**

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

**Item 11.5:**

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

**Item 11.6:**

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

Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG1
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG2
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG3
Regulated Contaminant(s):	
CAS No: 000630-08-0	CARBON MONOXIDE

**Item 11.7:**

Compliance Demonstration shall include the following monitoring:

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Facility DEC ID: 6304800126

Capping: Yes

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner/operator shall achieve 47 ppmvd emission of Carbon Monoxide(CO) from the catalyst for engines #1, #2, and #3 by operating the catalyst at inlet temperature between 550-1250deg Fahrenheit. An emission test of the emissions for carbon monoxide shall be conducted within 180 days of startup and as required below but before the 40 CFR 63 subpart ZZZZ compliance date, according to 40 CFR 60, Appendix A method 10 or ASTM 6522 to verify CO emissions from the catalyst at the operating temperatures.

The testing procedures shall be performed per the provisions of 6 NYCRR Part 202-1. If an alternative methodology is opted for, then a protocol shall be submitted to the department for review 60 days prior to the anticipated emission test.

If the facility complies with applicable portions of 40 CFR 63 Subpart ZZZZ, then the facility is in compliance with this requirement.

The results of the emission test shall be used by the owner/operator in the calculation of carbon monoxide emission from the facility that are limited to 97 tons per year on a 12 month rolling total basis and formaldehyde emissions from the facility that are limited to 9.9 tons per year on a 12 month rolling basis.

Upper Permit Limit: 47 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: Method 10 or ASTM D6522

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 12: Capping Monitoring Condition  
Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 201-7.1 (d)**

**Item 12.1:**

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

6 NYCRR Subpart 201-6



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provisions of 6 NYCRR Part 202-1. If an alternative methodology is opted for, then a protocol shall be submitted to the department for review 60 days prior to the anticipated emission test.

The results of the emission test shall be used by the owner/operator in the calculation of carbon monoxide emission from the facility that are limited to 97 tons per year on a 12 month rolling total basis.

Upper Permit Limit: 2.6 grams per brake horsepower-hour

Reference Test Method: EPA Method 10

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST  
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 13: Capping Monitoring Condition  
Effective for entire length of Permit**

**Applicable Federal Requirement: 6 NYCRR 201-7.1 (d)**

**Item 13.1:**

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

6 NYCRR Subpart 201-6

**Item 13.2:**

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

**Item 13.3:**

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

**Item 13.4:**

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

**Item 13.5:**

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

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201 and of the Act.

**Item 13.6:**

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

Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG1
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG2
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG3
Regulated Contaminant(s):	
CAS No: 000050-00-0	FORMALDEHYDE

**Item 13.7:**

Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The owner/operator shall maintain the control efficiency of the catalyst on engines #1, #2, and #3 to 90% for emissions of formaldehyde. The owner/operator shall monitor the exhaust gas temperature at the inlet to each oxidation catalyst in the range of 550 deg F to 1250 deg F, except during periods of startup and shutdown. The control efficiency and inlet temperatures shall be verified during emission testing. The owner/operator shall monitor catalyst inlet temperature during all periods of engine operation in order to maintain control efficiency of the catalyst.

If the facility meets requirements set forth in regulation 40 CFR 63, Subpart ZZZZ for the monitoring, recordkeeping, reporting, and operation, of the oxidation catalyst, then the facility is in compliance with this requirement.

Reports will be submitted in the time frame specified below, in a format that is acceptable to the department, which document that the temperature was monitored and maintained between the limits specified above.

The owner/operator shall maintain records that verify the temperature was monitored in a format acceptable to the department. These records must be maintained on-site for a period of five years.

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Parameter Monitored: TEMPERATURE  
 Lower Permit Limit: 550 degrees Fahrenheit  
 Upper Permit Limit: 1250 degrees Fahrenheit  
 Monitoring Frequency: CONTINUOUS  
 Averaging Method: 4-HOUR ROLLING AVERAGE  
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
 Reports due 30 days after the reporting period.  
 Subsequent reports are due every 6 calendar month(s).

**Condition 14: Notification**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-1.2**

**Item 14.1:**

A person who is required by the Department to submit a stack test report shall notify the Department, in writing, not less than 30 days prior to the test, of the time and date of the test. Such notification shall also include the acceptable procedures to be used to stack test including sampling and analytical procedures. Such person shall allow a representative of the Department free access to observe stack testing being conducted by such person.

**Condition 15: Acceptable procedures**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 202-1.3**

**Item 15.1:**

Emission testing, sampling, and analytical determinations to ascertain compliance with this Subpart shall be conducted in accordance with test methods acceptable to the commissioner.

**Condition 16: Visible Emissions Limited**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 16.1:**

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

**Condition 17: Applicability**  
**Effective for entire length of Permit**

**Applicable Federal Requirement:40CFR 63, Subpart ZZZZ**

**Item 17.1:**

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

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Facility DEC ID: 6304800126

**STATE ONLY ENFORCEABLE CONDITIONS**

**\*\*\*\* Facility Level \*\*\*\***

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

An emergency, as defined in 6 NYCRR subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

(1) an emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;

(2) the equipment at the facility was being properly operated and maintained;

(3) during the period of the emergency the facility owner or operator took all reasonable steps to minimize the levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) the facility owner or operator notified the department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken.

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

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

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

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



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

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

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

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

**STATE ONLY APPLICABLE REQUIREMENTS**

**The following conditions are state only enforceable.**

**Condition 18: Contaminant List  
 Effective for entire length of Permit**

**Applicable State Requirement: ECL 19-0301**

**Item 18.1:**

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

CAS No: 000050-00-0  
 Name: FORMALDEHYDE

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

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

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Facility DEC ID: 6304800126

**Condition 19: Malfunctions and Start-up/Shutdown Activities  
Effective for entire length of Permit****Applicable State Requirement:6 NYCRR 201-1.4****Item 19.1:**

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

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

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

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

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

**Condition 20: Malfunctions and Start-up/Shutdown Activities  
Effective for entire length of Permit****Applicable State Requirement:6 NYCRR 201-1.4**

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Facility DEC ID: 6304800126

**Item 20.1:**

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

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

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

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

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

**Condition 21: Emission Unit Definition  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 21.1:**

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

Emission Unit: 0-00001

Emission Unit Description:

Four stationary natural gas fired (4SLB) internal combustion engines used for the generation of electrical power and steam.

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Engine 1 will provide electric service to Utica College on a separate bus. Engines 2 & 3 will specifically provide electrical service to St. Luke's Hospital on the same bus. Engine 4 will provide electrical service to St. Luke's Home on a separate bus.

All entities will be a standby customer of National Grid, taking power from the utility when the prices are lower than the cost of generation, usually nights and weekends.

Exhaust gas from all engines will pass through Heat Recovery Steam Generators (HRSG) and the HRSG's will be connected to the St. Luke's Hospital steam header. Heat recovered from the building coolers and all engines will be used to make hot water which will be piped to various locations in the Hospital.

Building(s): CHP1

**Condition 22: Compliance Demonstration  
Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 201-5.1 (a)**

**Item 22.1:**

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

Emission Unit: 0-00001

Process: 001

Emission Source: 0ENG4

Regulated Contaminant(s):

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

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner/operator shall not cause or allow emissions of NOx in excess of 2.0 gm/bhp-hr as indicated by the manufacturer for the engine, to verify the facility's potential to emit for NOx is below major threshold levels.

A stack test shall be performed within 180 days of start up of the engine, according to 40 CFR 60, Appendix A, to verify the engine NOx emission shall not exceed the manufacturer's specification of 2.0 gm/bhp-hr.

The testing procedures shall be performed per the provisions of 6 NYCRR Part 202. If an alternative methodology is opted for, then a protocol shall be

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submitted to the department for review 60 days prior to the anticipated emission test.

Upper Permit Limit: 2.0 grams per brake horsepower-hour  
 Reference Test Method: Method 7, 7E  
 Monitoring Frequency: ONCE EVERY TEN YEARS  
 Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
 Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 23: Compliance Demonstration  
 Effective for entire length of Permit**

**Applicable State Requirement: 6 NYCRR 201-5.1 (a)**

**Item 23.1:**

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

Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG1
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG2
Emission Unit: 0-00001	
Process: 001	Emission Source: 0ENG3
Regulated Contaminant(s):	
CAS No: 0NY210-00-0	OXIDES OF NITROGEN

**Item 23.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner/operator shall not cause or allow emissions of NOx in excess of 0.9 gm/bhp-hr as indicated by the manufacturer for each engine, to verify the facility's potential to emit for NOx is below major threshold levels. A stack test shall be performed within 180 days of start up of the engines, according to 40 CFR 60, Appendix A, or alternative approved methodology, to verify the engine emissions shall not exceed the manufacturer's specification of 0.9 gm/bhp-hr.

The testing procedures shall be performed per the provisions of 6 NYCRR Part 202. If an alternative methodology is opted for, then a protocol shall be submitted to the department for review 60 days prior to the anticipated emission test.

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Upper Permit Limit: 0.9 grams per brake horsepower-hour  
Reference Test Method: Method 7, 7E  
Monitoring Frequency: ONCE EVERY TEN YEARS  
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED  
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

**Condition 24: Renewal deadlines for state facility permits  
Effective for entire length of Permit**

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

**Item 24.1:**

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

**Condition 25: Compliance Demonstration  
Effective for entire length of Permit**

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

**Item 25.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 25.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Division of Air Resources  
NYS Dept. of Environmental Conservation  
Region 6  
State Office Building  
317 Washington Ave.  
Watertown, NY 13601

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 26: Air pollution prohibited  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 26.1:**

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

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

**Condition 27: Emission Point Definition By Emission Unit  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 27.1:**

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

Emission Unit: 0-00001

Emission Point: 00001

Height (ft.): 30 Diameter (in.): 8  
NYTMN (km.): 4771.447 NYTME (km.): 477.354 Building: CHP1

Emission Point: 00002

Height (ft.): 30 Diameter (in.): 8  
NYTMN (km.): 4771.449 NYTME (km.): 477.344 Building: CHP1

Emission Point: 00003

Height (ft.): 30 Diameter (in.): 8  
NYTMN (km.): 4771.439 NYTME (km.): 477.341 Building: CHP1

Emission Point: 00004

Height (ft.): 30 Diameter (in.): 8  
NYTMN (km.): 4771.451 NYTME (km.): 477.332 Building: CHP1

**Condition 28: Process Definition By Emission Unit  
Effective for entire length of Permit**

**Applicable State Requirement:6 NYCRR Subpart 201-5**

**Item 28.1:**

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

Emission Unit: 0-00001

Process: 001 Source Classification Code: 2-01-002-02

Process Description:

Generation of electricity and steam through the operation of four natural gas internal (4 stroke lean burn)

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non-emergency combustion engines with HRSG units for the benefit of St. Luke's Hospital, Utica College, and St. Luke's Home. Engine 1(0ENG1), engine 2 (0ENG2), and engine 3 (0ENG3) are equipped with oxidation catalyst to reduce emissions of carbon monoxide and formaldehyde. Engines 1, 2 & 3 are rated at 11724 cf/hr fuel flow (1529 HP)and engine 4 is rated at 3708 cf/hr fuel flow(469HP). Engines 1,2, & 4, were manufactured in '05' and engine 3 was manufactured in '06'. The engines installation was completed before April 20, 2009.

Emission Source/Control: 0ENG1 - Combustion

Emission Source/Control: 0ENG2 - Combustion

Emission Source/Control: 0ENG3 - Combustion

Emission Source/Control: 0ENG4 - Combustion

Emission Source/Control: UOXC1 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: UOXC2 - Control  
Control Type: CATALYTIC OXIDATION

Emission Source/Control: UOXC3 - Control  
Control Type: CATALYTIC OXIDATION



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