

Facility DEC ID: 7039900011

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 7-0399-00011/00004
Effective Date:

Expiration Date:

Permit Issued To: BROOME ENERGY RESOURCES LLC
60 EAST ST (REAR)
PO BOX 150
WARE, MA 01082-0150

Contact: JAMES MALANDRINOS
BROOME ENERGY RESOURCES LLC
PO BOX 150
WARE, MA 01082-0150
(413) 967-7415

Facility: BROOME COUNTY LFG RECOVERY FACILITY
286 KNAPP RD
NANTICOKE, NY 13905

Description:

The facility has applied for a renewal of the current Title V facility. The facility is not making any changes to their current configuration at this time.

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: JONATHAN J STERCHO
NYS DEC Region 7
5786 WIDEWATERS PKWY
SYRACUSE, NY 13214-1867

Authorized Signature: _____ Date: ____ / ____ / ____

Facility DEC ID: 7039900011

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.

Facility DEC ID: 7039900011

PAGE LOCATION OF CONDITIONS

PAGE

DEC GENERAL CONDITIONS

General Provisions

- | | | |
|---|---|---|
| 4 | 1 | Facility Inspection by the Department |
| 4 | 2 | Relationship of this Permit to Other Department Orders and Determinations |
| 4 | 3 | Applications for permit renewals, modifications and transfers |
| 5 | 4 | Permit modifications, suspensions or revocations by the Department |

Facility Level

- | | | |
|---|---|--|
| 5 | 5 | Submission of application for permit modification or renewal-REGION 7 HEADQUARTERS |
|---|---|--|

Facility DEC ID: 7039900011

DEC GENERAL CONDITIONS****** General Provisions ******

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3

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

Facility DEC ID: 7039900011

submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 7

HEADQUARTERS

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 7 Headquarters
 Division of Environmental Permits
 5786 Widewaters Parkway
 Syracuse, NY 13214-1867
 (315) 426-7400

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: BROOME ENERGY RESOURCES LLC
60 EAST ST (REAR)
PO BOX 150
WARE, MA 01082-0150

Facility: BROOME COUNTY LFG RECOVERY FACILITY
286 KNAPP RD
NANTICOKE, NY 13905

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

Permit Effective Date:

Permit Expiration Date:

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

PAGE LOCATION OF CONDITIONS**PAGE****FEDERALLY ENFORCEABLE CONDITIONS****Facility Level**

7	1	6 NYCRR 200.6: Acceptable Ambient Air Quality
8	2	6 NYCRR 201-6.4 (a) (7): Fees
8	3	6 NYCRR 201-6.4 (c): Recordkeeping and Reporting of Compliance Monitoring
8	4	6 NYCRR 201-6.4 (c) (2): Records of Monitoring, Sampling, and Measurement
9	5	6 NYCRR 201-6.4 (c) (3) (ii): Compliance Certification
11	6	6 NYCRR 201-6.4 (e): Compliance Certification
13	7	6 NYCRR 202-2.1: Compliance Certification
13	8	6 NYCRR 202-2.5: Recordkeeping requirements
13	9	6 NYCRR 215.2: Open Fires - Prohibitions
15	10	6 NYCRR 200.7: Maintenance of Equipment
15	11	6 NYCRR 201-1.7: Recycling and Salvage
15	12	6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
15	13	6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
16	14	6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
16	15	6 NYCRR 201-6.4 (a) (4): Requirement to Provide Information
16	16	6 NYCRR 201-6.4 (a) (8): Right to Inspect
17	17	6 NYCRR 202-1.1: Required Emissions Tests
17	18	40 CFR Part 68: Accidental release provisions.
17	19	40CFR 82, Subpart F: Recycling and Emissions Reduction
18	20	6 NYCRR Subpart 201-6: Emission Unit Definition
18	21	6 NYCRR 201-6.4 (d) (4): Progress Reports Due Semiannually
19	22	6 NYCRR 201-6.4 (f): Operational Flexibility
19	23	6 NYCRR 201-6.4 (g): Non Applicable requirements
20	24	6 NYCRR 202-2.4 (a) (3): Statement dates for emissions statements.
20	25	6 NYCRR 211.2: Visible Emissions Limited
		Emission Unit Level
20	26	6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
21	27	6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=1-ENGINE

23	28	6 NYCRR Subpart 202-1: Compliance Certification
24	29	6 NYCRR Subpart 202-1: Compliance Certification
25	30	6 NYCRR 227-1.4 (a): Compliance Certification
25	31	40CFR 63.6605(b), Subpart ZZZZ: Operate and maintain air pollution control and monitoring equipment consistent with good engineering practices
26	32	40CFR 63.6625(c), Subpart ZZZZ: Compliance Certification
26	33	40CFR 63.6625(h), Subpart ZZZZ: Compliance Certification
27	34	40CFR 63.6650(g), Subpart ZZZZ: Compliance Certification
28	35	40CFR 63.6655(c), Subpart ZZZZ: Compliance Certification

EU=2-FLARE

28	36	6 NYCRR 212-1.6 (a): Compliance Certification
----	----	---

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

29 37 6 NYCRR 212-2.3 (a): Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

32 38 ECL 19-0301: Contaminant List
32 39 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
33 40 6 NYCRR 201-6.5 (a): CLCPA Applicability
33 41 6 NYCRR 211.1: Air pollution prohibited

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

FEDERALLY ENFORCEABLE CONDITIONS

Renewal 2/DRAFT

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

Item B: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.2 (a) (4)

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item C: Certification by a Responsible Official - 6 NYCRR 201-6.2 (d) (12)

Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item D: Requirement to Comply With All Conditions - 6 NYCRR 201-6.4 (a) (2)

The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.4 (a) (3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

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

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

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

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

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

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

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

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

iii. The applicable requirements of Title IV of the Act;

iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

i. When additional applicable requirements under the act become applicable to a title V facility with a remaining permit term of three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the department pursuant to the provisions of section 201- 6.6 of this Subpart.

ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

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

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

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

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

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

**Condition 1: Acceptable Ambient Air Quality
Effective for entire length of Permit****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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

Condition 2: Fees
Effective for entire length of Permit

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

Item 2.1:

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

Condition 3: Recordkeeping and Reporting of Compliance Monitoring
Effective for entire length of Permit

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

Item 3.1:

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

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

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

Condition 4: Records of Monitoring, Sampling, and Measurement
Effective for entire length of Permit

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

Item 4.1:

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

reports required by the permit.

Condition 5: Compliance Certification
Effective for entire length of Permit

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective for entire length of Permit

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

and

- such additional requirements as may be specified elsewhere in this permit related to compliance certification.

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

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

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

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

The address for the RAPCE is as follows:

Regional Air Pollution Control Engineer
NYSDEC Region 7 Headquarters
5786 Widewaters Parkway
Syracuse, NY 13214-1867

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance
625 Broadway

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2026.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective for entire length of Permit

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 are to be electronically submitted and are required by any new or renewed Title V permits issued after January 1, 2021. The first reporting year under this provision will be the reporting year in which the permit was issued or reporting year 2025 (emission statements due in 2026), whichever is earlier.

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 0 days after the reporting period.
Subsequent reports are due every 12 calendar month(s).

Condition 8: Recordkeeping requirements
Effective for entire length of Permit

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 for entire length of Permit

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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 for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 200.7

Item 10.1:

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

**Condition 11: Recycling and Salvage
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 11.1:

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

**Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 12.1:

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

**Condition 13: Exempt Sources - Proof of Eligibility
Effective for entire length of Permit**

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

Item 13.1:

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

for demonstrating compliance with this Subpart on-site for a period of five years, and make them available to representatives of the department upon request.

Condition 14: Trivial Sources - Proof of Eligibility
Effective for entire length of Permit

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

Item 14.1:

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

Condition 15: Requirement to Provide Information
Effective for entire length of Permit

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

Item 15.1:

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

Condition 16: Right to Inspect
Effective for entire length of Permit

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

Item 16.1:

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

- (i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and
- (iv) sample or monitor at reasonable times substances or parameters for the purpose of assuring

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

compliance with the permit or applicable requirements.

Condition 17: Required Emissions Tests
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 17.1:

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

Condition 18: Accidental release provisions.
Effective for entire length of Permit

Applicable Federal Requirement: 40 CFR Part 68

Item 18.1:

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

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

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

Condition 19: Recycling and Emissions Reduction
Effective for entire length of Permit

Applicable Federal Requirement: 40 CFR 82, Subpart F

Item 19.1:

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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

Condition 20: Emission Unit Definition
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 20.1:

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

Emission Unit: 1-ENGINE

Emission Unit Description:

This emission unit includes six (6) Caterpillar 3516 engines/generators rated at 820kW each. After combustion, the exhaust gas from each engine passes through a muffler before it exhausts to the atmosphere.

Building(s): 4
5
6
7
8
9

Item 20.2:

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

Emission Unit: 2-FLARE

Emission Unit Description:

One candle flare to burn landfill gas, with capacities as follows:

% Methane	Vmax(ft/s)	Flow Capacity (cfm)
22%-33%	60	1,362
35%	63	1,428
40%	71	1,615
45%	80	1,826
50%	91	2,065
55%	103	2,335

Condition 21: Progress Reports Due Semiannually
Effective for entire length of Permit

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Item 21.1:

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

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

Condition 22: Operational Flexibility
Effective for entire length of Permit

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

Item 22.1:

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

Condition 23: Non Applicable requirements
Effective for entire length of Permit

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

Item 23.1:

This section contains a summary of those requirements that have been specifically identified as being not applicable to this facility and/or emission units, emission points, processes and/or emission sources within this facility. The summary also includes a justification for classifying any such requirements as non-applicable.

6 NYCRR Part 251

Reason: This subpart only applies for electric generating facilities that apply for an increased capacity of 25 MW or more. Broome Energy has a maximum electric generating capacity of 4 MW.

40 CFR Part 60, Subpart JJJJ

Reason: All spark ignition internal combustion engines at this facility were manufactured prior to the applicability dates specified in 40 CFR 60.4230 (a)(1) through 40CFR 60.4230 (a)(5). Therefore, the provisions of 40 CFR 60 Subpart JJJJ are not applicable at his time.

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

**Condition 24: Statement dates for emissions statements.
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 202-2.4 (a) (3)

Item 24.1:

This facility is required to submit an annual emission statement electronically and these emissions statements must be submitted to the department as per the following schedule:

- (i) March 15th of each year for facilities with three or fewer processes listed in their Title V permit:
- (ii) March 31st of each year for facilities with four to six processes listed in their Title V permit:
- (iii) April 15th of each year for facilities with 7 to 12 processes listed in their Title V permit:
- (iv) April 30th of each year for facilities with 13 or more processes listed in their Title V permit.

**Condition 25: Visible Emissions Limited
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR 211.2

Item 25.1:

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.

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

**Condition 26: Emission Point Definition By Emission Unit
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 26.1:

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

Emission Unit: 1-ENGINE

Emission Point: STK10

Height (ft.): 28

Diameter (in.): 10

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

NYTMN (km.): 4677.073 NYTME (km.): 419.71 Building: 9

Emission Point: STK-4
 Height (ft.): 30 Diameter (in.): 10
 NYTMN (km.): 4677.077 NYTME (km.): 419.629 Building: 4

Emission Point: STK-6
 Height (ft.): 28 Diameter (in.): 10
 NYTMN (km.): 4677.073 NYTME (km.): 419.686 Building: 5

Emission Point: STK-7
 Height (ft.): 28 Diameter (in.): 10
 NYTMN (km.): 4677.073 NYTME (km.): 419.691 Building: 6

Emission Point: STK-8
 Height (ft.): 28 Diameter (in.): 10
 NYTMN (km.): 4677.073 NYTME (km.): 419.7 Building: 7

Emission Point: STK-9
 Height (ft.): 28 Diameter (in.): 10
 NYTMN (km.): 4677.073 NYTME (km.): 419.705 Building: 8

Item 26.2:

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

Emission Unit: 2-FLARE

Emission Point: STK-5
 Height (ft.): 29 Diameter (in.): 8
 NYTMN (km.): 4677.077 NYTME (km.): 419.622

Condition 27: Process Definition By Emission Unit
Effective for entire length of Permit
Applicable Federal Requirement:6 NYCRR Subpart 201-6**Item 27.1:**

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

Emission Unit: 1-ENGIN
 Process: 00D Source Classification Code: 2-01-008-02
 Process Description:
 Combustion of LFG in an internal combustion engine rated
 at 820 kW, 1,100 horsepower. After combustion, the exhaust
 gas passs through a muffler before it exhausts to the
 atmosphere from STK-4.

Emission Source/Control: ENG4A - Combustion
 Design Capacity: 820 kilowatts

Item 27.2:

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Emission Unit: 1-ENGINE

Process: 00F

Source Classification Code: 2-01-008-02

Process Description:

Combustion of LFG in an internal combustion engine rated at 820 kW, 1,100 horsepower. After combustion, the exhaust gas passes through a muffler before it exhausts to the atmosphere from STK-6.

Emission Source/Control: ENG4B - Combustion

Design Capacity: 820 kilowatts

Item 27.3:

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

Emission Unit: 1-ENGINE

Process: OOG

Source Classification Code: 2-01-008-02

Process Description:

Combustion of LFG in an internal combustion engine rated at 820 kW, 1,100 horsepower. After combustion, the exhaust gas passes through a muffler before it exhausts to the atmosphere from STK-7.

Emission Source/Control: ENG4C - Combustion

Design Capacity: 820 kilowatts

Item 27.4:

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

Emission Unit: 1-ENGINE

Process: OOH

Source Classification Code: 2-01-008-02

Process Description:

Combustion of LFG in an internal combustion engine rated at 820 kW, 1,100 horsepower. After combustion, the exhaust gas passes through a muffler before it exhausts to the atmosphere from STK-8.

Emission Source/Control: ENG-5 - Combustion

Design Capacity: 820 kilowatts

Item 27.5:

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

Emission Unit: 1-ENGINE

Process: OOI

Source Classification Code: 2-01-008-02

Process Description:

Combustion of LFG in an internal combustion engine rated at 820 kW, 1,100 horsepower. After combustion, the exhaust gas passes through a muffler before it exhausts to the atmosphere from STK-9.

Emission Source/Control: ENG-6 - Combustion

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Design Capacity: 820 kilowatts

Item 27.6:

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

Emission Unit: 1-ENGINE

Process: OOO

Source Classification Code: 2-01-008-02

Process Description:

Combustion of LFG in an internal combustion engine rated at 820 kW, 1,100 horsepower. After combustion, the exhaust gas passes through a muffler before it exhausts to the atmosphere from STK-10.

Emission Source/Control: ENG-7 - Combustion

Design Capacity: 820 kilowatts

Item 27.7:

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

Emission Unit: 2-FLARE

Process: 00E

Source Classification Code: 5-01-004-10

Process Description:

Combustion of LFG in a candle flare, exhaust to STK-5, used for backup during periods of excess LFG generation and maintenance or down time of engine/generator.

Emission Source/Control: FLR-1 - Combustion

**Condition 28: Compliance Certification
Effective for entire length of Permit**

Applicable Federal Requirement:6 NYCRR Subpart 202-1

Item 28.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-ENGINE

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 28.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner and/or operator shall have stack testing performed in accordance with a NYSDEC approved protocol to determine the emissions of carbon monoxide from each engine at a minimum of once every five years.

The owner or operator shall submit a stack test protocol

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

or notification letter for NYSDEC approval no later than 30 days prior to the date of emission testing. The final test report must be submitted within 60 days of completing the testing.

The emission testing results are to be used in subsequent permit renewal applications in order to compute potential emissions (PTE) of carbon monoxide.

Upper Permit Limit: 249 tons per year

Reference Test Method: 40 CFR 60, Appendix A, Method 10

Monitoring Frequency: Once every five years

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 29: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR Subpart 202-1

Item 29.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-ENGIN

Regulated Contaminant(s):

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

Item 29.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner and/or operator shall have stack testing performed in accordance with a NYSDEC approved protocol to determine NO_x emissions from each engine at a minimum of once every five years.

The owner or operator shall submit a stack test protocol or notification letter for NYSDEC approval no later than 30 days prior to the date of emission testing. The final test report must be submitted within 60 days of completing the testing.

The emission testing results are to be used in subsequent permit renewal applications in order to compute potential emissions (PTE) for NO_x.

Upper Permit Limit: 99 tons per year

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

Monitoring Frequency: Once every five years

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 30: Compliance Certification
Effective for entire length of Permit

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

Item 30.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-ENGINE

Item 30.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No owner or operator of a combustion installation shall operate the installation in such a way as to emit greater than 20 percent opacity except for one six minute period per hour, not to exceed 27 percent, based upon the six minute average in reference Method 9 in appendix A of 40 CFR 60.

The facility must perform visible emissions observations (VE checks) on each engine on a weekly basis. The facility must record their observations and any instances of unusual opacity must be corrected. The facility owner or operator shall conduct official EPA Reference Method 9 observations upon Department request.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: 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 31: Operate and maintain air pollution control and monitoring equipment consistent with good engineering practices
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6605(b), Subpart ZZZZ

Item 31.1:

This Condition applies to Emission Unit: 1-ENGINE

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Item 31.2:

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

Condition 32: Compliance Certification
Effective for entire length of Permit**Applicable Federal Requirement: 40CFR 63.6625(c), Subpart ZZZZ****Item 32.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-ENGIN

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a new or reconstructed stationary RICE which fires landfill gas or digester gas equivalent to 10 percent or more of the gross heat input on an annual basis, must monitor and record your fuel usage daily with separate fuel meters to measure the volumetric flow rate of each fuel. In addition, he/she must operate the stationary RICE in a manner which reasonably minimizes HAP emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 33: Compliance Certification
Effective for entire length of Permit**Applicable Federal Requirement: 40CFR 63.6625(h), Subpart ZZZZ****Item 33.1:**

The Compliance Certification activity will be performed for:

Emission Unit: 1-ENGIN

Item 33.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

For operation of a new, reconstructed, or existing

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

stationary engine, the engine's time spent at idle must be minimized during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to 40 CFR 63 Subpart ZZZZ apply.

Parameter Monitored: DURATION OF START UP

Upper Permit Limit: 30 minutes

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 34: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 40CFR 63.6650(g), Subpart ZZZZ

Item 34.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-ENGIN

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

If the facility is operating as a new or reconstructed stationary RICE which fires landfill or digester gas equivalent to 10% or more of the gross heat input on an annual basis, the facility must submit an annual report according to Table 7 of subpart ZZZZ by the date specified in §63.6650(b)(1)-(5). The report must contain the following information:

1- Fuel flow rate of each fuel and the heating values that were used in the calculations. The facility must also demonstrate that the percentage of heat input provided by landfill gas or digester gas is equivalent to 10% or more of the total fuel consumption on an annual basis.

2- The operating limits provided in the federally enforceable permit, and any deviations from these limits.

3- Any problems or errors suspected with the meters.

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 35: Compliance Certification
Effective for entire length of Permit

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

Item 35.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-ENGINE

Item 35.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

A facility operating a new or reconstructed stationary
RICE which fires landfill gas or digester gas equivalent
to 10 percent or more of the gross heat input on an annual
basis must keep the records of your daily fuel usage
monitors.

Monitoring Frequency: DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 36: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 212-1.6 (a)

Item 36.1:

The Compliance Certification activity will be performed for:

Emission Unit: 2-FLARE

Item 36.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No facility owner or operator shall cause or allow
emissions having an average opacity during any six
consecutive minutes of 20 percent or greater from any
process emission source or emission point, except for the

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

emission of uncombined water.

The facility must perform visible emissions observations on the flare on a weekly basis and record their findings. Any instances of unusual opacity must be documented and corrected. If there are repeated instances of excess opacity, the Department may require a full method 9 opacity reading which must be performed by a certified observer.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA RM 9

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Condition 37: Compliance Certification
Effective for entire length of Permit

Applicable Federal Requirement: 6 NYCRR 212-2.3 (a)

Item 37.1:

The Compliance Certification activity will be performed for:

Emission Unit: 2-FLARE

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The flare is subject to the requirements of 6NYCRR 212-2.3. The SO₂ emission rate potential must remain below 10 lb/hr in order to avoid triggering the 90% control requirement under 6NYCRR 212-2.3(a) for "B" rated criteria pollutants.

The facility must sample H₂S emissions from the gas collection header to obtain a site specific H₂S concentration and use that concentration along with flare flow rate to compute SO₂ emissions. The facility must verify they are below the ERP (10 lb/hr) or which the SO₂ control requirement would apply.

The facility must perform this calculation once during the term of each permit renewal.

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

STATE ONLY ENFORCEABLE CONDITIONS****** Facility Level ********NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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

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

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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 38: Contaminant List
Effective for entire length of Permit

Applicable State Requirement: ECL 19-0301

Item 38.1:

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

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

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

Condition 39: Malfunctions and Start-up/Shutdown Activities
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 201-1.4

Item 39.1:

(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

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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 40: CLCPA Applicability
Effective for entire length of Permit

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

Item 40.1:

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

Condition 41: Air pollution prohibited
Effective for entire length of Permit

Applicable State Requirement: 6 NYCRR 211.1

Item 41.1:

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011

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.

Permit ID: 7-0399-00011/00004

Facility DEC ID: 7039900011