

Facility DEC ID: 9049900108

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

**IDENTIFICATION INFORMATION**

Permit Type: Air State Facility  
Permit ID: 9-0499-00108/00007  
Effective Date: 05/11/2022 Expiration Date: 05/10/2027

Permit Issued To: Great Lakes Cheese Co., Inc.  
4250 Haskell Rd  
Cuba, NY 14727

Contact: Matthew Wilkinson  
17955 Great Lakes Pkwy  
Hiram, OH 44234  
(440) 834-7278

Facility: Great Lakes Cheese Manufacturing  
8018 ST RTE 16  
FRANKLINVILLE, NY 14737

Contact: Ryan Brickner  
4520 Haskell Rd  
Cuba, NY 14727  
(585) 968-2910

**Description:**

Great Lakes Cheese Manufacturing (GLC) is a manufacturer of cheese and dairy based products. The facility is located in the Towns of Franklinville and Farmersville, Cattaraugus County, New York. The facility is designed to receive 4.8 million pounds of combined milk received per day (lb/day) and a design capacity of 4.2 million lb/day of combined whey. Cheese production includes both cheddar and Mozzarella cheeses. The 480,000 square foot (sq. ft) complex will consist of a warehouse, cheese production area, offices, a wastewater treatment facility, multipurpose spaces, commons, and mechanical rooms.

Great Lakes Cheese Manufacturing is being issued an air state facility permit because facility wide emissions are less than the major source permitting threshold. The emissions were calculated and the potential to emit for criteria pollutants and H<sub>2</sub>S are as follows:

- 44 tons per year of Particulate Matter (PM)
- 88 tons per year of Oxides of Nitrogen (NO<sub>x</sub>)
- 18 tons per year of Sulfur Dioxide (SO<sub>2</sub>)
- 77 tons per year of Carbon Monoxide (CO)
- 33 tons per year of Volatile Organic Compounds (VOCs)
- 0.3 tons per year of Hydrogen Sulfide (H<sub>2</sub>S)

Great Lakes Cheese is subject to 6NYCRR Part 212 grain loading standards of 0.050 grains/dscf for particulate matter (PM). Particulates from the cheese production area are generated from processes such as salting, powder bins, cheese block formers and the cheese packaging area. In the whey production area, PM is generated from the Whey Protein Concentrate (WPC) Dryer, Permeate Dryer, and Packaging areas for both WPC and permeate

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powder products. Emissions are controlled either by filter boxes, baghouses, or a wet scrubber. Particulates from the cheddar line salting process are controlled by the wet scrubber. The mozzarella line is not equipped with any control devices. The rest of the cheese production area is controlled by filter boxes. Particulates from the whey permeate and WPC dryers are captured via cyclones for product recovery. Any PM that is not reclaimed by the cyclones are captured in baghouses. The packaging areas for the WPC powder and Permeate powder are controlled by dust collectors.

The three 49 MMBtu/hr boilers onsite are natural gas fired. Each boiler is equipped with a low NO<sub>x</sub> burner to reduce emissions. The boilers are subject to 40 CFR part 60 Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. This requires that natural gas fired boilers record and maintain records of the amount of fuel combusted during each calendar month. Since the boilers only fire natural gas they are not subject to 40 CFR Part 63, Subpart JJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.

Great Lakes Cheese utilizes 3 emergency diesel engines. Engines 1 & 2 are backup power generators and engine 3 is an emergency fire pump. The engine for generator 1 is rated at 891 KW (1,195 hp) and the engine for Gen 2 is rated at 1910 KW (2,561 hp). The engine for the fire pump is rated at 336 KW (450 hp). The two emergency engines and fire pump are exempt from air permitting under 201-3.2(c)(1)(i). The emissions from the engines were evaluated based on operation of 500 hr/yr for Title V applicability. The engines are subject to NSPS Subpart IIII – Stationary Compression Ignition Internal Combustion Engines. The engines must comply with the provisions therein. All 3 engines are EPA certified.

Great Lakes Cheese produces 0.8 Million Gallons per Day (MGD) of wastewater (effluent). This effluent is directed to the facility's anaerobic digester. The digester is a large concrete impoundment and is covered with a flexible membrane. The anaerobic digester generates large quantities of digester gas which is contained within the system by the membrane cover. A vacuum pump will draw off gases from the digester. The captured gas is then sent to a 450 scfm enclosed flare with a burner rated at 15.6 MMBtu/hr for emission control. The capture efficiency of digester gas from the system is expected to be 99%. The destruction efficiency of the flare is 98%. The digester gas consists of Methane (CH<sub>4</sub>), Carbon Dioxide (CO<sub>2</sub>), Hydrogen Sulfide (H<sub>2</sub>S) and trace constituents of other compounds. Hydrogen sulfide can be very odorous and will be monitored. H<sub>2</sub>S generated from the digester is conveyed through a vacuum pump to the flare. H<sub>2</sub>S compounds that are flared are converted to emissions of Sulfur Dioxide (SO<sub>2</sub>). Great Lakes Cheese will need to comply with 6 NYCRR Subpart 257-5 Ambient Air Quality Standard—Hydrogen Sulfide (H<sub>2</sub>S) 1-hour standard and DAR-1 annual standard, as well as the 1-hour, 3-hour, 24-hour SO<sub>2</sub> National Ambient Air Quality Standards (NAAQS). The facility must also comply with the 1-hour and annual NAAQS for emissions of Nitrogen Dioxide (NO<sub>2</sub>). Some sulfur-bearing compounds in the digestate are not released in the digester and are instead carried downstream in the wastewater to the Dissolved Nitrogen Flotation device (DNF). The DNF is used to remove suspended solids from the digester effluent. Small amounts of H<sub>2</sub>S can be released from the DNF. Therefore, the facility will be required to collect H<sub>2</sub>S emissions from the DNF and control them through a biofilter to prevent odors and uncontrolled emissions. The biofilter is an open top woodchip bed which uses microorganisms. The biofilter is expected to have a minimum control efficiency of 90%.

The digester was also evaluated under 6 NYCRR Part 212-2. Emissions of methane and hydrogen sulfide were evaluated. Neither methane nor hydrogen sulfide are listed as High Toxic Air Contaminants (HTACs). Therefore, emissions must comply with Subpart 212-2.3, degree of air cleaning required. Emissions of methane were above 10 lbs/hr and were given an

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environmental rating of B. Thus, a minimum of 90% control is required for the methane gas. The flare, which is considered a process control device under Part 212, has a destruction efficiency of 98% and satisfies the control requirement for methane. Similarly, H<sub>2</sub>S emissions were also given an environmental rating of B. Emissions of H<sub>2</sub>S are expected to be generated at a rate of 2.2 lbs/hr at the digester and 0.02 lbs/hr at the DNF and will be controlled by the flare and biofilter respectively. H<sub>2</sub>S emissions were modeled to demonstrate compliance with DAR 1 guideline concentrations. Notwithstanding compliance with DAR 1, hydrogen sulfide emissions are also subject to Subpart 257-5 and must not exceed 0.010 ppm (14 ug/m<sup>3</sup>) during any 1-hour period. The facility conducted an AERMOD impact analysis for H<sub>2</sub>S and demonstrated compliance with DAR 1 and Subpart 257-5. The modeled 1-hour H<sub>2</sub>S concentration impact was 12.88 ug/m<sup>3</sup> compared to the Subpart 257-5 limit of 14 ug/m<sup>3</sup>. The modeled annual H<sub>2</sub>S concentration impact was 0.55 ug/m<sup>3</sup> compared to the DAR-1 limit of 2 ug/m<sup>3</sup>. Because the hourly modeled potential H<sub>2</sub>S impacts are very close to the NYS ambient limit, an ambient air monitor(s) for H<sub>2</sub>S shall be installed on the property to monitor potential off-site impacts to the surrounding community. The facility was modeled for compliance with the NO<sub>2</sub> and SO<sub>2</sub> NAAQS. The AERMOD impact analysis included 3 natural gas fired boilers, 2 natural gas dryers, 3 diesel engines, 1 flare and several small heating units. The analysis showed that the facility is meeting the NAAQS.

There is one 5,000 gallon diesel fuel oil storage tank onsite. The tank is exempt from permitting 201-3.2(c)(21). However, the facility is still required to comply with the sulfur limits in Subpart 225-1 Fuel composition and use.

The 3 proposed cooling towers for the facility are reported to be noncontact cooling towers. Meaning that the water system will not come in direct contact with any gas or process liquid. Therefore, meeting the requirements of 201-3.2(c)(7) and are exempt from air permitting.

The facility uses ink jet printers in the packaging process. The total VOCs emitted from ink usage was less than half of the 3 ton permitting threshold. Therefore, the ink jet printers are exempt from permitting under 201-3.2(c)(13).

The facility utilizes a large quantity of small gas fired heating units throughout the facility. These units consist of air handling units (AHU), makeup air units (MAU), remote terminal units (RTU), infrared heaters (IRH), and gas unit heaters (GUH). While the cumulative total of these units are 81 MMBtu/hr, each unit is rated at or below 6 MMBtu/hr. More than half of these units are rated below 1 MMBtu/hr. Two of the heating unit groups are for worker comfort. Therefore, the heating units are exempt from permitting under 6 NYCRR 201-3.2(c)(1). Emissions from these units were evaluated when determining Title V applicability.

Great Lakes Cheese utilizes several chemical storage vessels (bulk containers) to store cleaning material such as: citric, nitric, phosphoric, and sulfuric acids. As well as caustic sodas. This material is used in dilute solutions for clean-in-place (CIP) activities. The chemicals used for CIP are either nonvolatile or have extremely low vapor pressure and are not expected to result in emissions. Any emissions are expected fall under 201-3.3(c)(94). The storage containers for this material are all less than 10,000 gallons and are exempt from air permitting under 201-3.2(c)(25).

**Climate Leadership and Community Protection Act (CLCPA)**

The potential climate impacts of this new Air State Facility permit were evaluated in accordance with the requirements of Section 7(2) of the Climate Leadership and Community Protection Act (CLCPA). DEC determined the project is inconsistent with the goals of the CLCPA due to an

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increase in GHG emissions. However, DEC believes there is sufficient justification for the project based on the following:

- The facility is adopting several energy saving measures through the application of heat transfer equipment and general design principles to maximize energy efficiency and reduce potential GHG emissions.
- The use of electric boilers instead of fossil fuel boilers is not technically feasible due to steam demands for cheese production. In addition, the utility network in the project location does not have the electrical infrastructure to support the three boilers.
- The use of electric hot water heaters instead of gas-fired water heaters amounts to greater GHG emissions and higher energy costs.
- The lack of this project would result in a transfer of the operations and the resulting emissions to a nearby state and have no net benefit for the climate.
- The absence of the project will result in economic and social harm to the area due to loss of jobs and use of local dairy milk.
- The production of cheese products for human consumption is beneficial to citizens of the state.

Section 7(3) of CLCPA was used to evaluate the project’s co-pollutant emissions and any disproportionate impacts to nearby disadvantaged communities. The co-pollutants emitted from GHG sources at the proposed facility meet the intent of CLCPA by demonstrating compliance with all applicable National Emission Standards for Hazardous Air Pollutants (NESHAP), New Source Performance Standards (NSPS) and NYSDEC regulations governing emissions of air contaminants. The department did not identify any disproportionate impacts based on information available at the time of review.

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:           DAVID S DENK  
  DIVISION OF ENVIRONMENTAL PERMITS  
  270 MICHIGAN AVE  
  BUFFALO, NY 14203-2915

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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**PAGE LOCATION OF CONDITIONS**

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**DEC GENERAL CONDITIONS**

**General Provisions**

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**Facility Level**

- 9 9 Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS

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

**Item 2.1:**

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 2.2:**

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 2.3:**

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

**Item 3.1:**

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.

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**Condition 4: Relationship of this Permit to Other Department Orders and Determinations**  
**Applicable State Requirement: ECL 3-0301 (2) (m)**

**Item 4.1:**

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

**Item 5.1:**

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.

Item5.2:

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

**Item 5.3**

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.

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

**Item 6.1:**

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.

Item6.2:

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

**Item 6.3**

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.

**Condition 7: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 7.1:**

The Department reserves the right to exercise all available authority to modify, suspend, or



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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.

**Condition 8: Permit modifications, suspensions or revocations by the Department**  
**Applicable State Requirement: 6 NYCRR 621.13**

**Item 8.1:**

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 9: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS**  
**Applicable State Requirement: 6 NYCRR 621.6 (a)**

**Item 9.1:**

Submission of applications for permit modification or renewal are to be submitted to:  
 NYSDEC Regional Permit Administrator  
 Region 9 Headquarters  
 Division of Environmental Permits  
 270 Michigan Avenue  
 Buffalo, NY 14203-2915  
 (716) 851-7165

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

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: Great Lakes Cheese Co., Inc.  
4250 Haskell Rd  
Cuba, NY 14727

Facility: Great Lakes Cheese Manufacturing  
8018 ST RTE 16  
FRANKLINVILLE, NY 14737

Authorized Activity By Standard Industrial Classification Code:  
2022 - CHEESE NATURAL AND PROCESSED

Permit Effective Date: 05/11/2022

Permit Expiration Date: 05/10/2027

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**FEDERALLY ENFORCEABLE CONDITIONS**

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- 6 1 6 NYCRR 211.2: Visible Emissions Limited
- 6 2 6 NYCRR 212-1.6: Compliance Demonstration
- 7 3 6 NYCRR 212-2.4 (b): Compliance Demonstration
- 8 4 6 NYCRR 225-1.2 (d): Compliance Demonstration
- 9 5 6 NYCRR 227-1.3 (c): Compliance Demonstration
- 9 6 40CFR 60, NSPS Subpart IIII: Compliance Demonstration

**Emission Unit Level**

**EU=U-00001**

- 10 7 6 NYCRR 227-1.4 (a): Compliance Demonstration
- 11 8 40CFR 60.48c(a), NSPS Subpart Dc: Compliance Demonstration
- 12 9 40CFR 60.48c(g)(2), NSPS Subpart Dc: Alternative Recordkeeping

**EU=U-00003**

- 12 10 6 NYCRR 212-1.7 (a): Compliance Demonstration

**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 15 11 ECL 19-0301: Contaminant List
- 16 12 6 NYCRR 201-1.4: Malfunctions and Start-up/Shutdown Activities
- 16 13 6 NYCRR Subpart 201-5: Emission Unit Definition
- 18 14 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 18 15 6 NYCRR 201-5.3 (c): Compliance Demonstration
- 18 16 6 NYCRR 211.1: Air pollution prohibited

**Emission Unit Level**

- 19 17 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 21 18 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

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- 23 19 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 24 20 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 25 21 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 26 22 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 27 23 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 28 24 6 NYCRR 257-5.3: Compliance Demonstration

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**FEDERALLY ENFORCEABLE CONDITIONS**

FINAL

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

**NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

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

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

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

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

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

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

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

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

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

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required to operate such device effectively.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Condition 1: Visible Emissions Limited**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable Federal Requirement:6 NYCRR 211.2**

**Item 1.1:**

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 2: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable Federal Requirement:6 NYCRR 212-1.6**

**Item 2.1:**

The Compliance Demonstration activity will be performed for the Facility.

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

**Item 2.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

This limit applies to emission points from the material

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handling, whey dryer and permeate dryer exhaust systems.  
This Includes all emission points from:

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00004

The facility shall investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard. The facility shall investigate the cause and make necessary corrections. The facility shall then verify that the excess visible emissions problem has been corrected.

Notify the department within the time frame specified in 6NYCRR 201-1.4 of any equipment malfunctions resulting in emissions of air contaminants in excess of any emission standard.

Records of opacity shall be kept onsite and maintained in a bound binder or in digital format and made available to the DEC upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 3: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable Federal Requirement: 6 NYCRR 212-2.4 (b)**

**Item 3.1:**

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

**Item 3.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

Emissions from each cheese process exhaust system must meet the Part 212 grain loading standard of 0.050 grains/dscf.



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This limit applies to emission points from the material handling, whey dryer and permeate dryer exhaust systems. This Includes all emission points from:

Emission Unit: U-00002

Emission Unit: U-00003

Emission Unit: U-00004

Each control device must be checked weekly to ensure that emission controls are working properly. Devices must be kept in accordance with the manufacturer's specifications.

The facility shall keep records of maintenance, malfunctions and corrective actions taken. Records must be maintained on site for a minimum of 5 years.

Records shall be made available to the Department upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: EPA Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 4: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 4.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 4.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

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Note - Process sources and incinerators must comply with the above requirements on or after July 1, 2023.

Work Practice Type: PARAMETER OF PROCESS MATERIAL  
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL  
 Parameter Monitored: SULFUR CONTENT  
 Upper Permit Limit: 0.0015 percent by weight  
 Monitoring Frequency: PER DELIVERY  
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 5: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 5.1:**

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

Emission Unit: U-00001  
 Process: 100

**Item 5.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES  
 Monitoring Description:

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

No reporting is required unless requested.

Monitoring Frequency: ANNUALLY  
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 6: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable Federal Requirement:40CFR 60, NSPS Subpart IIII**

**Item 6.1:**

The Compliance Demonstration activity will be performed for the Facility.

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Facility DEC ID: 9049900108

**Item 6.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

All emergency compression ignition internal combustion engines shall comply with all applicable standards of section §60.4205, 40 CFR Part 60 Subpart IIII.

The two emergency generators and fire pump are EPA certified and comply with emission standards.

Emergency Engine 1  
891 kW (1,195 hp)  
EPA Certificate: MLHAL45.0ESP-002

Emergency Engine 2  
1910 kW (2,561 hp)  
EPA Certificate: NLHAL45.0ESP-006

Fire Pump  
336 kW (450 hp)  
EPA Certificate: KJDXL09.0114-006

Emergency CI internal combustion engines shall also follow the compliance/monitoring requirements in sections § 60.4209 and §60.4211(f), 40 CFR Part 60 Subpart IIII.

Emergency CI internal combustion engines shall follow the reporting requirements of section §60.4214, 40 CFR Part 60 Subpart IIII. Any required reports shall be made to the Administrator. Reporting to the DEC is not required unless requested.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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

**Condition 7: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 7.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Permit ID: 9-0499-00108/00007

Facility DEC ID: 9049900108

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

**Item 7.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

The facility shall investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard. The facility shall investigate the cause and make necessary corrections. The facility shall then verify that the excess visible emissions problem has been corrected.

Records of opacity shall be kept onsite and maintained in a bound binder or in digital format and made available to the DEC upon request.

Notify the department within the time frame specified in 6NYCRR 201-1.4 of any equipment malfunctions resulting in emissions of air contaminants in excess of any emission standard.

Reports do not need to be submitted unless requested.

Parameter Monitored: OPACITY  
Upper Permit Limit: 20 percent  
Reference Test Method: EPA Method 9  
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
Averaging Method: 6 MINUTE AVERAGE  
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

**Condition 8: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable Federal Requirement:40CFR 60.48c(a), NSPS Subpart Dc**

**Item 8.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00001

Permit ID: 9-0499-00108/00007

Facility DEC ID: 9049900108

**Item 8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner and operator of each affected facility shall submit notification of the date of construction or reconstruction, anticipated startup, and actual startup, as provided by 40 CFR 60.7 of this part. This notification shall include:

- (1) The design heat input capacity of the affected facility and identification of fuels to be combusted in the affected facility.
- (2) If applicable, a copy of any Federally enforceable requirement that limits the annual capacity factor for any fuel or mixture of fuels under 40 CFR 60.42c., or 40 CFR 60.43c.
- (3) The annual capacity factor at which the owner or operator anticipates operating the affected facility based on all fuels fired and based on each individual fuel fired.

Monitoring Frequency: SINGLE OCCURRENCE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 9: Alternative Recordkeeping**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable Federal Requirement:40CFR 60.48c(g)(2), NSPS Subpart Dc**

**Item 9.1:**

This Condition applies to Emission Unit: U-00001

**Item 9.2:**

As an alternative to meeting the requirements of 40 CFR 60.48c(g)(1), the owner or operator of an affected facility that combusts only natural gas, wood, fuels using fuel certification in 40 CFR 60.48c(f) to demonstrate compliance with the SO<sub>2</sub> standard, fuels not subject to an emissions standard (excluding opacity), or a mixture of these fuels may elect to record and maintain records of the amount of each fuel combusted during each calendar month.

**Condition 10: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable Federal Requirement:6 NYCRR 212-1.7 (a)**

**Item 10.1:**

The Compliance Demonstration activity will be performed for:

Permit ID: 9-0499-00108/00007

Facility DEC ID: 9049900108

Emission Unit: U-00003

Regulated Contaminant(s):

CAS No: 007783-06-4      HYDROGEN SULFIDE

**Item 10.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The anaerobic digester was evaluated for compliance with 6NYCRR Part 212 for emissions of Hydrogen Sulfide. An impact analysis for hydrogen sulfide was conducted and used a 99% gas capture rate for all emissions generated from the anaerobic digester. Therefore, the facility must show that the estimated 99% digester gas capture rate is being maintained.

The facility shall submit a Leak Monitoring Plan for the anaerobic digester to demonstrate how the 99% capture rate is being maintained. The Leak Monitoring Plan must detail how leaks will be monitored, what actions will be taken in the event of a leak or tear in the membrane cover, and how records will be kept.

The Leak Monitoring Plan shall be submitted to the department for approval 9 months prior to planned operation of the anaerobic digester.

There are no on-going reporting requirements for this condition unless otherwise specified in the approved digester monitoring plan. Notify the department within the time frame specified in 6NYCRR 201-1.4 of any equipment malfunctions resulting in emissions of air contaminants in excess of any emission standard.

Parameter Monitored: CAPTURE EFFICIENCY

Lower Permit Limit: 99 percent

Monitoring Frequency: CONTINUOUS

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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Facility DEC ID: 9049900108

**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 11: Contaminant List**

**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 11.1:**

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

CAS No: 000074-82-8

Name: METHANE

CAS No: 007783-06-4

Name: HYDROGEN SULFIDE

CAS No: 0NY075-00-0

Name: PARTICULATES



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**Condition 12: Malfunctions and Start-up/Shutdown Activities**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 12.1:**

(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 13: Emission Unit Definition**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 13.1:**

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Facility DEC ID: 9049900108

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

Emission Unit: U-00001

Emission Unit Description:

Emission Unit 1 contains 3 natural gased fired Cleaver Brooks boilers. Each of the boilers are rated at 49MMBtu/hr and are equipped with a Low NOx burner.

Building(s): MAIN\_BLDG

**Item 13.2:**

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

Emission Unit: U-00002

Emission Unit Description:

Emission unit 2 contains the permeate dryer, the two associated permeate production lines and the permeate packaging area. The dryer is natural gas fired and is rated at 13.9MMBtu/hr. Permeate lines 1 & 2 are controlled by baghouses. Each permeate line includes a cyclone for product recovery prior to emissions capture in the baghouses. Permeate powder in packaging area is controlled by a dust collector.

Building(s): MAIN\_BLDG

**Item 13.3:**

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

Emission Unit: U-00003

Emission Unit Description:

Emission unit 3 is the wastewater treatment plant and consist of an anaerobic digester, a dissolved nitrogen flotation unit (DNF), a bioreactor and a flare. Methane gas and H<sub>2</sub>S are produce in the anaerobic digester which is then fed to a 15.6MMBtu flare for emission control. The effluent from the digester is sent to the DNF which removes suspended particles from the wastewater but produces additional H<sub>2</sub>S. Emissions from the DNF are controlled by a bioreactor consisting of a woodchip bed with active microbes.

**Item 13.4:**

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

Emission Unit: U-00004

Emission Unit Description:

Emission unit 4 consist of raw material and other material handling for the processes within the facility. This emission unit includes milk receiving, the cheddar line, the mozzarella line, the whey protein concentrate (WPC) dryer line and packaging. The powder bins and receivers are controlled by air filters. The Cheddar line is controlled by a wet scrubber and air filters. The Mozzarella line has no emission control devices along its line. The WPC dryer line uses a cyclone for product

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recovery and controls emissions through a baghouse. The WPC powder packaging is controlled by a dust collector.

Building(s): MAIN\_BLDG

**Condition 14: Renewal deadlines for state facility permits**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 14.1:**

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 15: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 15.1:**

The Compliance Demonstration activity will be performed for the Facility.

**Item 15.2:**

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 9  
270 Michigan Ave.  
Buffalo, NY 14203

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2023.

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

**Condition 16: Air pollution prohibited**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable State Requirement:6 NYCRR 211.1**

**Item 16.1:**

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such

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Facility DEC ID: 9049900108

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 17: Emission Point Definition By Emission Unit  
Effective between the dates of 05/11/2022 and 05/10/2027**

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

**Item 17.1:**

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

Emission Unit: U-00001

Emission Point: C0001  
 Height (ft.): 48 Diameter (in.): 42  
 NYTMN (km.): 4694.498 NYTME (km.): 215.7 Building: MAIN\_BLDG

Emission Point: C0002  
 Height (ft.): 48 Diameter (in.): 42  
 NYTMN (km.): 4694.499 NYTME (km.): 215.701 Building: MAIN\_BLDG

Emission Point: C0003  
 Height (ft.): 48 Diameter (in.): 42  
 NYTMN (km.): 4694.499 NYTME (km.): 215.699 Building: MAIN\_BLDG

**Item 17.2:**

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

Emission Unit: U-00002

Emission Point: C0004  
 Height (ft.): 133 Diameter (in.): 35  
 NYTMN (km.): 4694.5 NYTME (km.): 215.7 Building: MAIN\_BLDG

Emission Point: C0007  
 Height (ft.): 128 Diameter (in.): 63  
 NYTMN (km.): 4694.5 NYTME (km.): 215.7 Building: MAIN\_BLDG

Emission Point: C0008  
 Height (ft.): 128 Diameter (in.): 63  
 NYTMN (km.): 4694.5 NYTME (km.): 215.7 Building: MAIN\_BLDG

Emission Point: C0010

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Height (ft.): 48                      Diameter (in.): 12  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

**Item 17.3:**

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

Emission Unit: U-00003

Emission Point: C0005  
 Height (ft.): 50                      Diameter (in.): 60  
 NYTMN (km.): 4694.498              NYTME (km.): 215.7

**Item 17.4:**

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

Emission Unit: U-00004

Emission Point: C0006  
 Height (ft.): 85                      Diameter (in.): 60  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0009  
 Height (ft.): 48                      Diameter (in.): 8  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0011  
 Height (ft.): 55                      Diameter (in.): 8  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0012  
 Height (ft.): 55                      Diameter (in.): 6  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0013  
 Height (ft.): 55                      Diameter (in.): 6  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0014  
 Height (ft.): 63                      Diameter (in.): 10  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0015  
 Height (ft.): 49                      Diameter (in.): 10  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0016  
 Height (ft.): 49                      Diameter (in.): 10  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

Emission Point: C0017  
 Height (ft.): 125                      Diameter (in.): 25  
 NYTMN (km.): 4694.5              NYTME (km.): 215.7              Building: MAIN\_BLDG

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**Condition 18: Process Definition By Emission Unit**  
Effective between the dates of 05/11/2022 and 05/10/2027

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

**Item 18.1:**

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

Emission Unit: U-00001  
Process: 100 Source Classification Code: 1-03-006-02  
Process Description:  
Natural Gas Firing in the any of the three 49 MMBtu/hr  
Boilers

Emission Source/Control: BLR-1 - Combustion  
Design Capacity: 49 million Btu per hour

Emission Source/Control: BLR-2 - Combustion  
Design Capacity: 49 million Btu per hour

Emission Source/Control: BLR-3 - Combustion  
Design Capacity: 49 million Btu per hour

**Item 18.2:**

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

Emission Unit: U-00002  
Process: 200 Source Classification Code: 3-02-030-10  
Process Description: Natural gas firing in the permeate dryer

Emission Source/Control: S0001 - Combustion  
Design Capacity: 13.9 million Btu per hour

**Item 18.3:**

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

Emission Unit: U-00002  
Process: 300 Source Classification Code: 3-02-030-99  
Process Description: Material handling within permeate dryer.

Emission Source/Control: BH-11 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: BH-12 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: DC-76 - Control  
Control Type: FABRIC FILTER

Emission Source/Control: S0002 - Process

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Emission Source/Control: S0003 - Process

Emission Source/Control: S0004 - Process

**Item 18.4:**

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

Emission Unit: U-00003

Process: 400

Source Classification Code: 5-03-007-89

Process Description: Digester and wastewater treatment plant activities

Emission Source/Control: BIO-1 - Control

Control Type: BIOLOGICAL OXIDATION

Emission Source/Control: FLR-1 - Control

Control Type: FLARING

Emission Source/Control: DIGST - Process

Design Capacity: 12,050 pounds per day

Emission Source/Control: DNF-1 - Process

Design Capacity: 1,000 parts per billion by volume

**Item 18.5:**

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

Emission Unit: U-00004

Process: 500

Source Classification Code: 3-02-030-99

Process Description: Material handling and processing at the facility.

Emission Source/Control: BB-61 - Control

Control Type: FABRIC FILTER

Emission Source/Control: BH-01 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DC-71 - Control

Control Type: FABRIC FILTER

Emission Source/Control: SM-21 - Control

Control Type: WET SCRUBBER

Emission Source/Control: VP-01 - Control

Control Type: HIGH EFFICIENCY PARTICULATE AIR FILTER

Emission Source/Control: VP-02 - Control

Control Type: HIGH EFFICIENCY PARTICULATE AIR FILTER

Emission Source/Control: VP-76 - Control

Control Type: FABRIC FILTER

Emission Source/Control: DM-12 - Process

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Emission Source/Control: M0001 - Process

Emission Source/Control: M0002 - Process

Emission Source/Control: M0003 - Process

Emission Source/Control: M0004 - Process

Emission Source/Control: M0005 - Process

Emission Source/Control: M0006 - Process

Emission Source/Control: M0007 - Process

**Condition 19: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable State Requirement: 6 NYCRR 212-2.3 (b)**

**Item 19.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):  
 CAS No: 007783-06-4      HYDROGEN SULFIDE

**Item 19.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:  
 BIOFILTER, HYDORGEN SULFIDE

The Dissolved Nitrogen Flotation Device (DNF) is connected to the anaerobic digester and is subject to 6 NYCRR subpart 212-2. The DNF must comply with the degree of air cleaning required by Subpart 212-2.3 Table 4 for emissions of hydrogen sulfide (H<sub>2</sub>S). Table 4 requires that emissions of H<sub>2</sub>S from the DNF meet DAR 1 air guideline concentrations. As a result, the facility is employing the use of a biofilter for emission control. The biofilter is an open top bed which utilizes woodchips as a filter media. In addition, the biofilter also provides odor control.

The biofilter is expected to have a minimum control efficiency of 90% for H<sub>2</sub>S and was included in the facility’s impact analysis for compliance with Part 212 and the 14 ug/m<sup>3</sup> hydrogen sulfide threshold. To ensure that emissions and odors from the biofilter remain in



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compliance, the facility shall monitor for breakthrough and conduct maintenance on the biofilter as specified by the manufacturer.

The facility shall include the breakthrough monitoring for the biofilter in the Leak Monitoring Plan required for the anaerobic digester. The Leak Monitoring Plan shall be submitted to the department for approval 9 months prior to planned operation of the anaerobic digester.

There are no on-going reporting requirements for this condition unless otherwise specified in the approved digester monitoring plan.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 20: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable State Requirement:6 NYCRR 212-2.3 (b)**

**Item 20.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):

CAS No: 007783-06-4 HYDROGEN SULFIDE

**Item 20.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

FLARE DESTRUCTION EFFICIENCY

The anaerobic digester was evaluated for compliance with 6 NYCRR Part 212 for emissions of Hydrogen Sulfide. The analysis determined that emissions of hydrogen sulfide must be controlled. The facility shall verify that all exhaust gas streams containing Hydrogen Sulfide from the anaerobic digester are vented to the enclosed flare and achieve a minimum destruction efficiency of 98%.

The facility shall conduct a destruction efficiency test on the enclosed flare once during the term of the permit.

Submit a stack test protocol at least 30 days prior to the

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proposed testing date for review and approval.

Provide the stack test report within 60 days of completion of the stack test. There are no on-going reporting or recordkeeping requirements for this permit condition.

Parameter Monitored: DESTRUCTION EFFICIENCY  
 Lower Permit Limit: 98 percent  
 Reference Test Method: EPA Method 15  
 Monitoring Frequency: Once every five years  
 Averaging Method: 1-HOUR AVERAGE  
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 21: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable State Requirement: 6 NYCRR 212-2.3 (b)**

**Item 21.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):  
 CAS No: 000074-82-8 METHANE

**Item 21.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:  
 FLARE DESTRUCTION EFFICIENCY

The anaerobic digester was evaluated for compliance with 6 NYCRR Part 212 for emissions of Methane. The analysis determined that emissions of Methane must be controlled. The facility shall verify that all exhaust gas streams containing Methane from the anaerobic digester are vented to the enclosed flare and achieve a minimum destruction efficiency of 90%.

The facility shall conduct a destruction efficiency test on the enclosed flare once during the term of the permit.

Submit a stack test protocol at least 30 days prior to the proposed testing date for review and approval.

Provide the stack test report within 60 days of completion of the stack test. There are no on-going reporting or recordkeeping requirements for this permit condition.

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Parameter Monitored: DESTRUCTION EFFICIENCY

Lower Permit Limit: 90 percent

Reference Test Method: EPA Method 3C

Monitoring Frequency: Once every five years

Averaging Method: MINIMUM - NOT TO FALL BELOW STATED  
VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 22: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable State Requirement: 6 NYCRR 212-2.3 (b)**

**Item 22.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

**Item 22.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

**MAXIMUM GAS FLOW LIMIT**

The facility shall manage gas flow from the anaerobic digester to the enclosed flare such that the maximum digester gas flow rate does not exceed 400 standard cubic feet per minute.

The facility shall install, operate and maintain a gas meter which measures the flow rate of digester gas to the flare. The monitoring equipment shall measure the gas flow rate at least once per minute. An hourly averaging method should be used to assess if an exceedance of the maximum gas flow rate has occurred. If an exceedance is identified, inspect the source and restore operation of the emission unit (including the control device and the associated capture system) to its normal operation as expeditiously as practicable.

Maintain records of maintenance conducted and any flow rate exceedances. Records must be kept on-site for a minimum of 5 years. All records shall be made available to the DEC upon request.

There are no on-going reporting requirements for this condition. Notify the department within the time frame specified in 6NYCRR 201-1.4 of any equipment malfunctions resulting in emissions of air contaminants in excess of

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any emission standard.

Parameter Monitored: FLOW RATE

Upper Permit Limit: 400 cubic feet per minute

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 23: Compliance Demonstration**  
**Effective between the dates of 05/11/2022 and 05/10/2027**

**Applicable State Requirement: 6 NYCRR 212-2.3 (b)**

**Item 23.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):  
 CAS No: 000074-82-8 METHANE

**Item 23.2:**

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

**FLARE OPERATING REQUIREMENTS**

The methane emissions produced by the anaerobic digester were given an Environmental Rating (ER) of B. Therefore, emissions of methane must be controlled by the enclosed air-assisted flare. In accordance with manufacturer documentation, the flare has a destruction efficiency of 98% at 1600 degrees Fahrenheit (F) and 99% destruction efficiency at 1800 degrees F. The flare shall operate at a minimum temperature of 1600 degree F when digester gas is vented to the flare.

The facility shall install, operate, and maintain a temperature measurement device for the enclosed flare. The monitoring equipment shall measure the temperature at least once per minute. An hourly averaging method should be used to assess if an exceedance of the minimum temperature has occurred. If an exceedance is identified, inspect the source and restore operation of the emission unit (including the control device and the associated capture system) to its normal operation as expeditiously as practicable.

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Maintain records of maintenance conducted and any temperature deviations. Records must be kept on-site for a minimum of 5 years. All records shall be made available to the DEC upon request.

There are no on-going reporting requirements for this condition. Notify the department within the time frame specified in 6NYCRR 201-1.4 of any equipment malfunctions resulting in emissions of air contaminants in excess of any emission standard.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1600 degrees Fahrenheit

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

**Condition 24: Compliance Demonstration**  
Effective between the dates of 05/11/2022 and 05/10/2027

**Applicable State Requirement: 6 NYCRR 257-5.3**

**Item 24.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):

CAS No: 007783-06-4 HYDROGEN SULFIDE

**Item 24.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: AMBIENT AIR MONITORING

Monitoring Description:

As per 6 NYCRR 257-5.3, in any one-hour period, the average concentration of hydrogen sulfide shall not exceed 0.010 ppm (14 µg/m<sup>3</sup>).

As per 6 NYCRR 257-5.4(b), all measurements are corrected to a reference temperature of 25 degrees Centigrade and to a reference pressure of 760 millimeters of mercury.

The facility shall install and maintain a hydrogen sulfide (H<sub>2</sub>S) ambient air measuring device(s) to ensure off-site impacts of hydrogen sulfide do not exceed the 14µg/m<sup>3</sup> threshold set forth by Subpart 257-5 prior to the commencement of operation of the anaerobic digester.

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The facility shall submit a Hydrogen Sulfide Ambient Air Monitoring Plan to the Department for approval 9 months prior to the planned operation of the anaerobic digester.

There are no on-going reporting requirements for this condition. The facility must notify the department with the recorded values of H<sub>2</sub>S in excess of the emission standard set forth by Subpart 257-5.

Parameter Monitored: HYDROGEN SULFIDE

Upper Permit Limit: 14 micrograms per cubic meter

Reference Test Method: EPA Method 15

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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