



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 9-1402-00565/00177
Effective Date: 06/17/2009 Expiration Date: 06/16/2014

Permit Issued To: GENERAL MILLS OPERATIONS LLC
1 GENERAL MILLS BLVD
MINNEAPOLIS, MN 55426-1347

Facility: GENERAL MILLS OPERATIONS LLC
54 S MICHIGAN AVE
BUFFALO, NY 14203

Contact: PAUL GISTER
GENERAL MILLS
54 S MICHIGAN AVE
BUFFALO, NY 14203
(716) 857-3704

Description:

PERMIT DESCRIPTION
GENERAL MILLS OPERATIONS, LLC
CO-GEN/BOILER HOUSE PLANT
DEC I.D. NO. 9140200565/00177

General Mills Operations, LLC (General Mills) owns and operates a flour processing plant, a cereal processing plant and a co-generation/boiler house located at 54 South Michigan Avenue in Buffalo, New York, a marginal ozone nonattainment area. Although these three plants are located on adjacent properties and are under common control, they operate somewhat independent of each other. General Mills chose to submit separate applications for each plant. This permit is specifically for the Co-Generation/Boiler House. The co-generation facility includes a 3.8 MW stationary gas turbine and a waste heat boiler which produce electricity and steam used by General Mills. Any excess electricity is sold to the regional power grid. When additional steam is required to operate processes at the Cereal Plant, two auxiliary boilers may also be utilized to produce steam. The waste heat boiler is also used to produce process steam without the turbine operating. The Standard Industrial Classification Code for General Mills is 2043 - Cereal Breakfast Foods. This title V permit renewal contains no significant changes in plant operations, with the exception of the elimination of the combustion of fuel oil in Emission Source 0451A (Boiler No. 1). The renewal also included the updating of monitoring conditions specified under 40CFR60, Subpart GG, which has been revised since the last permit modification. The Title V permit contains a complete listing of the applicable federal, state and compliance monitoring requirements for the facility.

The General Mills Co-Generation/Boiler House Plant contains two emissions units, U-00451 and U-00452. Emission Unit U-00451 consists of two processes, 51A and 51C. In Process 51A, process steam for the Cereal Plant is produced at Emission Source 0451A



(uncontrolled Cleaver Brooks DLD-68E Boiler, with 66.9 MMBTU/hr maximum heat input capacity) and/or Emission Source 0451B (uncontrolled Babcock Wilcox FJ18-36 Boiler, with 58.8 MMBTU/hr maximum heat input capacity) via the combustion of natural gas. Process 51C is the combustion of No. 6 fuel oil in Emission Source 0451B to produce process steam for use in the Cereal Plant. Emissions from both processes are exhausted through Emission Point (EP) 0451A. Emission Unit U-00452 contains two processes. Process 52A is the production of electricity and steam utilizing natural gas as fuel in Emission Source 0452A (uncontrolled Solar, Centaur H gas turbine, with 52.3 MMBTU/hr maximum design heat input capacity) and Emission Source 0452B (uncontrolled Deltak Waste Heat Boiler, with a maximum design heat input capacity of 53.6 MMBTU/hr with the turbine in service). Process 52B is the combustion of natural gas in the uncontrolled Deltak Waste Heat Boiler, with a maximum design heat input capacity of 90.8 MMBTU/hr (1 or 2 burners ignited) with the turbine out of service to produce process steam for the Cereal Plant. There are 2 emission stacks associated with Process 52A. When the demand for steam at the Cereal Plant is large, heat created during the generation of electricity in the turbine is sent to the Deltak boiler to produce process steam, exhausting emissions through EP 0452B. If the process steam demand is reduced, the heat from the turbine is diverted to EP 0452A, by-passing the Deltak waste heat boiler. Emissions from process 52B are exhausted through EP 0452B. Air contaminants emitted due to these activities include nitrous oxides (NO_x), sulfur dioxide (SO₂), carbon monoxide (CO), particulates (PM), particulates with an aerodynamic diameter less than or equal to a nominal 10 micro-meters (PM-10), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs).

General Mill's facility-wide potential to emit SO₂ and PM-10 exceeds the major source thresholds of 100 tons each per year and this facility is therefore subject to the provisions of 6NYCRR Subpart 201-6 -Title V Facility Permits. In 1987 when the turbine and waste heat boiler were installed, to avoid the requirements of 40CFR52.21 for NO_x and SO₂ emissions, General Mills chose to limit the emission of NO_x and SO₂ from the Co-Gen/Boiler House Plant to less than 91.6 tpy NO_x and less than 167.1 tpy of SO₂ as determined by summing the individual monthly NO_x and SO₂ emissions during any consecutive 12-month period. These limits are specified under 6NYCRR201-7 in this permit. General Mills has the potential to emit methyl bromide, a hazardous air pollutant (HAP) that exceeds the major source threshold of 10 tons per year (tpy). To avoid the requirements of 40CFR63 Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters and Subpart YYYY—National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines, General Mills chose to limit their emissions of individual and total HAPs to 9 tpy and 24 tpy, respectively. Since the majority of HAPs at General Mills are generated at the Flour Mill from the fumigation of grains and flour products, the monitoring conditions that limit individual and total HAPs are contained in the title V permit for the Flour Mill Plant, DEC ID No. 914020056500175. The Solar gas turbine is subject to the requirements of 40CFR60 Subpart A - General Provisions and Subpart GG - Standards of Performance for Stationary Gas Turbines which includes a 150 ppm emission limit on NO_x from the turbine, a limit of 0.8% sulfur by weight in fuel burned in the turbine. To verify compliance with Subpart GG, General Mills previously followed a custom schedule issued by the USEPA Region 2 office for monitoring sulfur in the natural gas which fuels the turbine. In accordance with the revised Subpart GG, in lieu of the custom schedule General Mills will verify the sulfur content of the natural gas combusted in the turbine through "the gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less ". Residual oil and No. 2 oil used throughout the entire facility are subject to the sulfur in oil limit of 1.1 % by weight as specified under 6NYCRR225-1 (d). Since the oil fired boiler (Emission Source 0451B) is mid-size, particulate emissions from Process 51C, exhausted through EP 0451A, are subject to the requirements of 6NYCRR227.2(b)(1), which limits particulate



emissions to 0.10 lb/MMBTU and requires a stack test prior to permit renewal to verify compliance with the limit. All emission points at the Co-Gen/Boiler House Plant are subject to 6NYCRR227-1.3(a) which limits the average opacity of the emissions during any six consecutive minutes to less than 20%. In accordance with 6NYCRR201-6.5(f)(1), this title V permit includes a monitoring condition specifying operational flexibility at the Co-Gen/Boiler House Plant which allows General Mills to carry out minor changes without modifying the title V permit. This title V permit specifies special operating/monitoring conditions, recordkeeping and reporting required to verify compliance. The facility is currently in compliance with all requirements.

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 14203-2999

Authorized Signature: _____ Date: ____ / ____ / ____



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.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

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



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: 6NYCRR 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 expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:

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



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

Item 4.1:

The Department reserves the right 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 9 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

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



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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1 GENERAL MILLS BLVD
MINNEAPOLIS, MN 55426-1347

Facility: GENERAL MILLS OPERATIONS LLC
54 S MICHIGAN AVE
BUFFALO, NY 14203

Authorized Activity By Standard Industrial Classification Code:
2041 - FLOUR & OTHER GRAIN MILL PROD
2043 - CEREAL BREAKFAST FOODS

Permit Effective Date: 06/17/2009

Permit Expiration Date: 06/16/2014



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 202-2.1: Compliance Certification
- 7 6NYCRR 202-2.5: Recordkeeping requirements
- 8 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 9 6NYCRR 200.7: Maintenance of Equipment
- 10 6NYCRR 201-1.7: Recycling and Salvage
- 11 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 12 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 13 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 14 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 15 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 16 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 17 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 18 6NYCRR 202-1.1: Required Emissions Tests
- 19 6NYCRR 211.3: Visible Emissions Limited
- 20 40CFR 68: Accidental release provisions.
- 21 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 22 6NYCRR 200.3: False statement
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-6.5(e): Compliance Certification
- 25 6NYCRR 201-6.5(f): Compliance Certification
- 26 6NYCRR 201-6.5(g): Non Applicable requirements
- 27 6NYCRR 201-7: Facility Permissible Emissions
- *28 6NYCRR 201-7: Capping Monitoring Condition
- *29 6NYCRR 201-7: Capping Monitoring Condition
- *30 6NYCRR 201-7: Capping Monitoring Condition
- *31 6NYCRR 201-7: Capping Monitoring Condition
- 32 6NYCRR 225-1.2(d): Compliance Certification
- 33 6NYCRR 225-1.8(a): Compliance Certification
- 34 6NYCRR 225-1.8(a): Compliance Certification
- 35 6NYCRR 225-1.8(d): Sampling, compositing, and analysis of fuel samples
- 36 6NYCRR 227-1.3: Compliance Certification
- 37 6NYCRR 227-1.6: Compliance Certification

Emission Unit Level

- 38 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 39 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00451,EP=0451A,Proc=51C,ES=0451B

- 40 6NYCRR 227.2(b)(1): Compliance Certification

EU=U-00452,Proc=52A,ES=0452A



- 41 40CFR 60, NSPS Subpart A: Applicability of General Provisions of 40 CFR 60 Subpart A
- 42 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 43 40CFR 60.7, NSPS Subpart A: Compliance Certification
- 44 40CFR 60.12, NSPS Subpart A: Circumvention.
- 45 40CFR 60.332(a)(2), NSPS Subpart GG: Compliance Certification
- 46 40CFR 60.332(k), NSPS Subpart GG: Exemption from NOx standard.
- 47 40CFR 60.333(b), NSPS Subpart GG: Compliance Certification
- 48 40CFR 60.334(h)(3), NSPS Subpart GG: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 49 ECL 19-0301: Contaminant List
- 50 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 51 6NYCRR 211.2: Air pollution prohibited

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

An emergency constitutes an affirmative defense to an action brought for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

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

(1) An emergency occurred and that the facility owner and/or

operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated;

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

(4) The facility owner and/or operator notified the Department

within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 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 6NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.



Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(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 D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)

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

Item E: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.5(a)(2)

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

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.5(a)(3)

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR Part 201-6.5(a)(5)

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

Item H: Property Rights - 6 NYCRR Part 201-6.5(a)(6)

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

Item I: Severability - 6 NYCRR Part 201-6.5(a)(9)



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

Item J: Permit Shield - 6 NYCRR Part 201-6.5(g)

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

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

Item K: Reopening for Cause - 6 NYCRR Part 201-6.5(i)

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the



effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



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

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

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

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

**Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 06/17/2009 and 06/16/2014**

Applicable Federal Requirement:6NYCRR 200.6

Item 1.1:

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

**Condition 2: Fees
Effective between the dates of 06/17/2009 and 06/16/2014**

Applicable Federal Requirement:6NYCRR 201-6.5(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 72-0302.

**Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 06/17/2009 and 06/16/2014**

Applicable Federal Requirement:6NYCRR 201-6.5(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 201-6.3 of this Part 201.

Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 6NYCRR 201-6.5(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 reports required by the permit.

Condition 5: Compliance Certification

Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 6NYCRR 201-6.5(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, 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 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report



required above.

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

In the case of any condition contained in this permit with a reporting requirement of "Upon request by regulatory agency" the permittee shall include in the semiannual report, a statement for each such condition that the monitoring or recordkeeping was performed as required or requested and a listing of all instances of deviations from these requirements.

In the case of any emission testing performed during the previous six month reporting period, either due to a request by the Department, EPA, or a regulatory requirement, the permittee shall include in the semiannual report a summary of the testing results and shall indicate whether or not the Department or EPA has approved the results.

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 6: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 202-2.1



Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year. Statements are to be mailed to: New York State Department of Environmental Conservation, Division of Air Resources, Bureau of Air Quality Planning, 625 Broadway, Albany NY 12233-3251

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due by April 15th for previous calendar year

**Condition 7: Recordkeeping requirements
Effective between the dates of 06/17/2009 and 06/16/2014**

Applicable Federal Requirement:6NYCRR 202-2.5

Item 7.1:

(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 8: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/17/2009 and 06/16/2014**

Applicable Federal Requirement:6NYCRR 215

Item 8.1:

No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

**MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE**

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding



annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 9: Maintenance of Equipment
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 200.7

Item 9.1:

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 10: Recycling and Salvage
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-1.7

Item 10.1:

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

Condition 11: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-1.8

Item 11.1:

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 12: Exempt Sources - Proof of Eligibility
Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 12.1:

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



Condition 13: Trivial Sources - Proof of Eligibility

Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 13.1:

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

Condition 14: Standard Requirement - Provide Information

Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 14.1:

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 15: General Condition - Right to Inspect

Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 15.1:

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

(i) enter upon the permittee's premises where a facility subject to the permitting requirements of this Subpart is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

(ii) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(iii) inspect at reasonable times any emission sources, equipment (including monitoring and air pollution control equipment), practices, and operations regulated or required under the permit; and

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

Condition 16: Standard Requirements - Progress Reports



Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 16.1:

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 17: Off Permit Changes

Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 17.1:

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

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

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

Condition 18: Required Emissions Tests

Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 202-1.1

Item 18.1:

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. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.



Condition 22: False statement
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 200.3

Item 22.1:

No person shall make a false statement in connection with applications, plans, specifications and/or reports submitted pursuant to this Subchapter.

Condition 23: Emission Unit Definition
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 23.1:

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

Emission Unit: U-00451

Emission Unit Description:

This emission unit consists of two mid-size boilers, a Cleaver Brooks DLD-68E (Boiler No. 1) and a Babcock Wilcox FJ-18-36 (Boiler No.2), with maximum design heat input capacities of 66.9 MMBTU/hr and 58.8 MMBTU/hr, respectively. The Cleaver Brooks boiler began operation on March 26, 1976 and is equipped with a dual fuel CB Model CN-5 burner. This boiler is currently operated with natural gas only. In April 2007 the supply line for No. 6 fuel oil was permanently disconnected from Boiler No. 1 to avoid the requirements of 6NYCRR227.2(b)(1). The B&W boiler, installed in June of 1950, was originally a coal fired boiler. This boiler was retrofitted with a dual fuel Coen CO 160 FYR burner in May of 1968 and is capable of burning natural gas or No. 6 fuel oil. Both boilers exhaust into a common stack, emission point 0451A. The two boilers are used to supplement the waste heat boiler identified in Emission Unit U-00452 that produces steam for use in the Cereal Plant.

Building(s): 21

Item 23.2:

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

Emission Unit: U-00452

Emission Unit Description:

This Emission Unit consists of a "packaged" cogeneration unit. A 3.8 MW Solar Centaur H stationary gas turbine with a maximum design heat input capacity of 52.3 MMBTU/hr and a Deltak waste heat boiler with a maximum design heat input capacity of 53.6 MMBTU/hr (when the turbine is in service) are utilized to generate electricity and steam. The maximum design heat input capacity of the Deltak boiler operated with the turbine out of service is 90.8 MMBTU/hr. The Deltak boiler is equipped with two Coen CPF 33 register type burners, capable of firing natural gas.



Any electricity and steam generated is used by General Mills, with excess electricity sent to the regional power grid. This emission unit is fueled solely with natural gas.

Building(s): 77

Condition 24: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

Item 24.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

- i. Compliance certifications shall contain:
 - the identification of each term or condition of the permit that is the basis of the certification;
 - the compliance status;
 - whether compliance was continuous or intermittent;
 - the method(s) used for determining the compliance status of the facility, currently and over the reporting period consistent with the monitoring and related recordkeeping and reporting requirements of this permit;
 - such other facts as the Department may require to determine the compliance status of the facility as specified in any special permit terms or conditions; and
 - such additional requirements as may be specified elsewhere in this permit related to compliance certification.
- ii. The responsible official must include in the annual certification report all terms and conditions contained in this permit which are identified as being subject to certification, including emission limitations, standards, or work practices. That is, the provisions labeled herein as "Compliance Certification" are not the only provisions of this permit for which an annual certification is required.
- iii. Compliance certifications shall be submitted annually. Certification reports are due 30 days after the anniversary date of four consecutive calendar quarters.



The first report is due 30 days after the calendar quarter that occurs just prior to the permit anniversary date, unless another quarter has been acceptable by the Department.

iv. All compliance certifications shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Please send annual compliance certifications to Chief of the Stationary Source Compliance Section, the Region 2 EPA representative for the Administrator, at the following address:

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

The address for the RAPCE is as follows:

270 Michigan Avenue
Buffalo, NY 14203-2915

The address for the BQA is as follows:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2010.
Subsequent reports are due on the same day each year

Condition 25: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 25.1:
The Compliance Certification activity will be performed for the Facility.

Item 25.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

With regard to the Title V permit for the Co-Gen/Boiler House, General Mills Operations, LLC (General Mills) has



the right to maintain operational flexibility in accordance with 6NYCRR201-6.5(f). The Emission Units contained in the Co-Gen/Boiler House are EU-U-00451 and EU-U-00452, which include emission sources involved in the production of steam and electricity for the processes at the Cereal and Flour Plants and for space heating. When electricity is produced, any excess is fed to the regional power grid. Pollutants generated by these emission units are oxides of nitrogen, sulfur dioxide, carbon monoxide, PM, PM-10, volatile organic compounds and hazardous air pollutants.

Operational flexibility within the Co-Gen/Boiler House shall include the ability to move equipment and/or exhaust points, and the replacement of the stationary gas turbine with a rebuilt turbine (stack tested for NOx) consistent with the turbine listed or equivalent, with a maximum design heat input not greater than 52.3 MMBTU/hr. Turbine replacement shall only be conducted in lieu of on-site routine maintenance and repairs. General Mills may change or modify existing processes and exchange the turbine provided:

- 1) the change does not cause additional regulations or requirements to become applicable;
- 2) the emissions from the modified process or exchanged turbine are equal to or less than the source being modified or replaced;
- 3) the change does not cause emissions to exceed any emission limitation contained in regulations or applicable requirements; and
- 4) the change will not cause an exceedance of a federally-enforceable emission cap or limit.

General Mills must notify the Department in writing at least 30 calendar days in advance of making changes involving: (i) replacement, installation or relocation of any emission source, process, or emission point within a facility; (ii) the emission of any air pollutant not previously authorized or emitted in accordance with a permit issued by the Department; (iii) the installation or alteration of any air cleaning installation, device or control equipment. For each change, the written notification required above shall include a brief description of the change, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. General Mills shall attach each notice to their copy of the relevant permit.

The Department may require a permit modification to impose new applicable requirements or special permit conditions, if it determines that proposed changes do not meet the operational flexibility criteria or that the change may



have a significant air quality impact. In such cases the Department may require that General Mills not undertake the proposed change until it completes a more detailed review of the potential air quality impacts and/or applicable requirements.

General Mills shall maintain operational flexibility records indicating the nature, date, emission results, PSD/NSPS/NSR reviews, correspondence, etc. from any changes or modifications implemented as described above. Records shall be maintained on-site for five years and shall be available for expeditious review by the Department and/or Administrator upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 26: Non Applicable requirements
Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 26.1:

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.

40CFR 60-GG.334(h)(2)

Emission Unit: U00452 Process: 52A Source: 0452A

Reason: General Mills is not required to monitor the nitrogen content of the fuel combusted in the turbine since they do not claim an allowance for fuel bound nitrogen to calculate the NO_x limit under 40CFR60.332(a)(2).

Condition 27: Facility Permissible Emissions
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-7

Item 27.1:

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

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

CAS No: 007446-09-5

PTE: 334,000 pounds per year

Name: SULFUR DIOXIDE



CAS No: 0NY210-00-0

PTE: 198,000 pounds per year

Name: OXIDES OF NITROGEN

Condition 28: Capping Monitoring Condition
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 6NYCRR 201-7

Item 28.1:

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

6NYCRR 227-2
40CFR 52-A.21

Item 28.2:

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

Item 28.3:

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

Item 28.4:

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

Item 28.5:

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

Item 28.6:

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

Emission Unit: U-00452

Process: 52A

Emission Source: 0452A

Regulated Contaminant(s):

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

Item 28.7:

Compliance Certification shall include the following monitoring:



Capping: Yes

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

In lieu of performing on-site maintenance/repairs, General Mill's may exchange their existing turbine for an identical factory rebuilt turbine as recommended by Solar Turbine. To verify that the NOx emission factor for each rebuilt turbine is equivalent to or less than the maximum emission rate determined during the original performance test (May 16, 1989), a stack test shall be performed on emissions from the rebuilt Solar turbine for each exchange in accordance with 40CFR60 Subpart GG. A stack test protocol shall be submitted to the Department, Regional Office within 45 days of permit issuance. The stack test shall be witnessed by a NYSDEC representative and shall be performed within 15 days of Department approval of the protocol. A stack test report presenting the results shall be submitted to the Department for review and approval within 45 days of the performance of the test. The maximum emission factor for NOx from the approved stack test report may be used to determine compliance with the NOx limits specified in this permit to avoid the requirements of PSD and NOx RACT. Records of stack tests shall be maintained on-site and be available for review by Department representatives upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 29: Capping Monitoring Condition
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-7

Item 29.1:

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

40CFR 52-A.21

Item 29.2:

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

Item 29.3:



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

Item 29.4:

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

Item 29.5:

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

Item 29.6:

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

Emission Unit: U-00451

Emission Unit: U-00452

Regulated Contaminant(s):

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

Item 29.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The General Mill's Co-Gen/Boiler House shall not exceed a total emission rate of 91.5 tons per year (TPY) of NO_x to avoid the requirements of 40CFR52.21, "Prevention of significant deterioration of air quality" (PSD) as determined by summing the individual monthly emissions during any consecutive 12-month period.

The emission sources contributing to the Co-Gen/Boiler House NO_x emissions include one uncontrolled, natural gas fired Solar Centaur H stationary gas turbine with a maximum design heat input capacity of 52.3 MMBTU/hr (Emission Source 0452A), one uncontrolled, natural gas fired Deltak waste heat boiler with a maximum design heat input capacity of 53.6 MMBTU/hr with the turbine in service and 90.8 mmBTU/hr with the turbine out of service (Emission Source 0452B), and two uncontrolled, mid-sized



boilers: a natural gas fired Cleaver Brooks, DLD-68E (Emission Source 0451A) boiler and a dual-fueled (natural gas/ No. 6 fuel oil) Babcock & Wilcox FJ-18-36 (Emission Source 0451B) boiler with 66.9 MMBTU/hr and 58.8 MMBTU/hr maximum design heat input capacities, respectively.

The Facility must prepare monthly NO_x emission records. Monthly fuel usage quantities obtained from fuel meters, fuel purchase records and the heating value (HV) of natural gas shall be used to calculate the monthly NO_x emissions according to formulas listed below or similar formulas for the specified fuel being burned. This allows the Co-Gen/Boiler House to operate the turbine and boilers in any combination provided the NO_x PSD cap is maintained.

General Mills shall submit to the Regional Office of the Department an annual NO_x emission report which certifies that the Co-Gen/Boiler House has been operated within the limits imposed by the emission cap. This should be included with annual reports submitted to certify compliance with the PSD SO₂ CAP on the Co-Gen/Boiler House, the facility VOC and NO_x RACT CAPs and the CAPs on individual and total HAPs to avoid the requirements of 40CFR63, Subparts YYYY and DDDDD. The report shall list the types and monthly quantity of fuels burned at the Co-Gen/Boiler House for each source, the monthly NO_x emissions with emission factors used for each source, the total monthly NO_x emissions for the Co-Gen/Boiler House, the rolling 12-month NO_x emissions for each consecutive month of the calendar year and a comparison to the 91.5 tpy limit. The annual report shall be submitted by January 30th for the previous calendar year.

NO_x EMISSION CALCULATIONS

Total Monthly NO_x Emissions (tons/month) = A + B + C + D

where,

A = Monthly NO_x emission rate in tons based on natural gas usage for Emission Source 0452A

$A = (0.262 * \text{lbs NO}_x / \text{MM BTU}^*) \times (\text{avg monthly HV of natural gas burned BTU/cf}) \times (\text{cf natural gas burned/month}) \times (\text{ton}/2000 \text{ lb})$.

B = Monthly NO_x emission rate in tons based on natural gas usage for Emission Source 0452B/0452C

$B = (62 \text{ lbs NO}_x / \text{MMcf}) \times (\text{cf natural gas burned/month}) \times (\text{ton}/2000 \text{ lb})$

C = Monthly NO_x emission rate in tons based on natural gas usage for Emission Source 0451A and Emission Source



0451B

$C = (120 \text{ lbs NO}_x^{**} / \text{MM cf}) \times (\text{cf natural gas burned/month}) \times (\text{ton}/2000 \text{ lb})$

** Based on natural gas heating value of 1000 BTU/cf

D = Monthly NO_x emission rate in tons based on No. 6 oil usage for Emission Source 0451B

$D = (0.06 \text{ lbs NO}_x^{***} / \text{gal No. 6 oil}) \times (\text{gallons No. 6 oil burned/month}) \times (\text{ton}/2000 \text{ lb})$

*** Based on No. 6 oil heating value of 150,000 BTU/gal.

All emission factors except the turbine (Emission Source 0452A) are from Table 8 - "Fuel Use Limitation Equation for NO_x" of General Mill's original PSD Applicability Determination (letter from Lawrence A. Fenske, General Mills to Alfred Carlacci, NYSDEC, dated March 2, 1987)

*NO_x emission factor from 10/01/2002 Stack Emissions Report for Stationary Gas Turbine conducted by General Mills to comply with 40CFR60 Subparts A and GG and PSD for identical rebuilt turbine exchange. This may change based on NO_x emission factor determined from a witnessed stack test with NYSDEC approved results for any future turbine exchanges.

General Mills shall maintain and keep records which include information on equipment type, make and model, maximum design input/output capacities, modifications (with dates) made to equipment that alter capacity, all source test information, fuel type, fuel usage, and fuel heating values. Fuel usage records shall show the quantity of fuel burned on a monthly basis and the calculation of annual NO_x emissions as described above. These records shall be based on verifiable data such as fuel metering data and/or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts.

Any noncompliance with the NO_x emission limit shall be reported to the Department within 30 days of occurrence. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

All submittals to the Department shall be certified by General Mill's responsible official as to the truth, completeness, and accuracy of all information recorded and reported.

Work Practice Type: PROCESS MATERIAL THRUPUT



Process Material: FUEL

Upper Permit Limit: 91.5 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING

DESCRIPTION

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 30: Capping Monitoring Condition
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-7

Item 30.1:

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

40CFR 52-A.21

Item 30.2:

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

Item 30.3:

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

Item 30.4:

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

Item 30.5:

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

Item 30.6:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00451



Emission Unit: U-00452

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 30.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

General Mills Co-Gen/Boiler House shall not exceed a total emission rate of 167.0 tons per year (TPY) of SO₂ to avoid the requirements of 40CFR52.21, "Prevention of significant deterioration of air quality" (PSD) as determined by summing the individual monthly emissions during any consecutive 12-month period.

The emission sources contributing to the Co-Gen/Boiler House SO₂ emissions include one uncontrolled, natural gas fired Solar Centuar H stationary gas turbine with a maximum design heat input capacity of 52.3 MMBTU/hr (Emission Source 0452A), one uncontrolled, natural gas fired Deltak waste heat boiler with a maximum design heat input capacity of 53.6 MMBTU/hr with the turbine in service and 90.8 mmBTU/hr with the turbine out of service (Emission Source 0452B), and two uncontrolled, mid-sized boilers: a natural gas fired Cleaver Brooks, DLD-68E (Emission Source 0451A) boiler and a dual-fueled (natural gas/ No. 6 fuel oil) Babcock & Wilcox FJ-18-36 (Emission Source 0451B) boiler with 66.9 MMBTU/hr and 58.8 MMBTU/hr maximum design heat input capacities, respectively.

General Mills must prepare monthly SO₂ emission records for the Co-Gen/Boiler House. Monthly fuel usage quantities obtained from fuel meters and fuel purchase records shall be used to calculate the monthly SO₂ emissions according to formulas listed below or similar formulas for the specified fuel being burned. This allows General Mills to operate the turbine and boilers in any combination provided the SO₂ PSD cap is maintained.

General Mills shall submit to the Regional Office of the Department an annual SO₂ emission report which certifies that the the Co-Gen/Boiler House has operated within the limits imposed by the emission cap. This should be included with annual reports submitted to certify compliance with the PSD NO_x CAP on the Co-Gen/Boiler House, the facility VOC and NO_x RACT CAPs and the CAPs on individual and total HAPs to avoid the requirements of



40CFR63, Subparts YYYYY and DDDDD. The report shall list the types and monthly quantity of fuels burned at the Co-Gen/Boiler House for each source, the monthly SO₂ emissions with emission factors used for each source, the total monthly SO₂ emissions for the Co-Gen/Boiler House, the rolling 12-month SO₂ emissions for each consecutive month of the calendar year and a comparison to the 167.0 tpy limit. The annual report shall be submitted by January 30th for the previous calendar year.

SO₂ EMISSION CALCULATIONS

Total Monthly SO₂ Emissions (tons/month) = A + B + C + D

where,

A = Monthly SO₂ emission rate in tons based on natural gas usage for Emission Source 0452A

$A = (0.6 \text{ lbs SO}_2^* / \text{MM cf}) \times (\text{cf natural gas burned/month}) \times (\text{ton}/2000 \text{ lb})$.

B = Monthly SO₂ emission rate in tons based on natural gas usage for Emission Source 0452B/ 0452C

$B = (0.6 \text{ lbs SO}_2^* / \text{MMcf}) \times (\text{cf natural gas burned/month}) \times (\text{ton}/2000 \text{ lb})$

C = Monthly SO₂ emission rate in tons based on natural gas usage for Emission Source 0451A and Emission Source 0451B

$C = (0.6 \text{ lbs SO}_2^* / \text{MM cf}) \times (\text{cf natural gas burned/month}) \times (\text{ton}/2000 \text{ lb})$

*Based on natural gas heating value of 1000 BTU/cf

D = Monthly SO₂ emission rate in tons based on No. 6 oil usage for Emission Source 0451B

$D = (0.18 \text{ lbs SO}_2^{**} / \text{gal No. 6 oil}) \times (\text{gallons No. 6 oil burned/month}) \times (\text{ton}/2000 \text{ lb})$.

**Based on No. 6 fuel oil heating value of 150,000

BTU/gal

Emission factors are from Table 7 - "Fuel Use Limitation Equation for SO₂" of General Mill's original PSD Applicability Determination (letter from Lawrence A. Fenske, General Mills to Alfred Carlacci, NYSDEC, dated March 2, 1987)

General Mills shall maintain and keep records which include information on equipment type, make and model, maximum design input/output capacities, modifications (with dates) made to equipment that alter capacity, all source test information, fuel type, fuel usage, and fuel heating values. Fuel usage records shall show the quantity



of fuel burned on a monthly basis and the calculation of annual SO₂ emissions as described above. To confirm the general accuracy of the monthly fuel usage amounts, records shall be based on verifiable data such as fuel metering data and/or fuel purchase records.

Any noncompliance with the SO₂ emission limit shall be reported to the Department within 30 days of occurrence. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

All submittals to the Department shall be certified by General Mill's responsible official as to the truth, completeness, and accuracy of all information recorded and reported.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL

Upper Permit Limit: 167.0 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 31: Capping Monitoring Condition
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-7

Item 31.1:

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

6NYCRR 227-2

Item 31.2:

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

Item 31.3:

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



Item 31.4:

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

Item 31.5:

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

Item 31.6:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 31.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

General Mills shall not exceed a facility-wide total emission rate of 99 TPY of NO_x to avoid the requirements of 6NYCRR227-2, Reasonably Available Control Technology (RACT) for Oxides of Nitrogen as determined by summing the individual monthly emissions during any consecutive 12-month period.

The emission sources contributing to the facility NO_x emissions include 0451A, 0451B, 0452A and 0452B at the Co-Gen/Boiler House, natural gas-fired process heaters throughout the Cereal and Flour Mill Plants, one emergency generator and two gasoline powered internal combustion engines at the Cereal Plant, three diesel or natural gas powered internal combustion engines and one emergency generator at the Flour Plant and any other exempt and /or trivial activities throughout the facility that generate NO_x emissions.

The Facility must prepare monthly NO_x emission records. Monthly fuel usage quantities obtained from fuel meters and fuel purchase records shall be used to calculate the monthly NO_x emissions based on emission factors from the USEPA Compilation of Air Pollutant Emission Factors, AP42. Emissions from the Co-Gen/Boiler House shall be calculated using the emission factors specified in the monitoring condition under 6NYCRR201-7 in this Title V permit for a 91.5 tpy limit on NO_x emissions to avoid the



requirements of 40CFR52.21-PSD.

The Facility shall submit to the Regional Office of the Department an annual NO_x emission report which certifies that General Mills has operated within the limits imposed by this emissions cap. This should be included with annual reports submitted to certify compliance with the PSD NO_x and SO₂ CAPs for the Co-Gen/Boiler House, the facility VOC RACT CAP and the individual and total HAP CAP to avoid 40CFR63 Subparts YYYY and DDDDD. The report shall list the types and monthly quantity of fuels burned for each source, the monthly NO_x emissions with emission factors used for each source (with reference cited), the total monthly NO_x emissions for the facility, the rolling 12-month NO_x emissions for each consecutive month of the calendar year and a comparison to the 99 tpy limit. The annual report shall be submitted by January 30th for the previous calendar year.

The Facility shall maintain and keep records which include information on equipment type, make and model, maximum design input/output capacities, hours of operation, all source test information, fuel type, fuel usage, and fuel heating values. Fuel usage records shall show the quantity of fuel burned on a monthly basis and calculations for annual NO_x emissions as described above. These records shall be based on verifiable data such as metered operating hours, fuel metering data, and/or fuel purchase records to confirm the general accuracy of the monthly fuel usage amounts.

Any noncompliance with the NO_x emission limit shall be reported to the Department within 30 days of occurrence. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

All submittals to the Department shall be certified by the Facility's responsible official as to the truth, completeness, and accuracy of all information recorded and reported.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: FUEL

Upper Permit Limit: 99 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12-month total, rolled monthly

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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



Condition 32: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 32.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 32.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use fuel oil (residual (No. 6) and diesel (No. 2)) which contains sulfur in a quantity exceeding 1.10 percent by weight. Compliance with this rule shall be verified by fuel vendor certification upon receipt of each shipment to determine if sulfur content is below the specified limit. Records of fuel vendor certification shall be maintained on-site for 5 years.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: FUEL OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 1.10 percent by weight

Reference Test Method: ASTM Methods

Monitoring Frequency: PER DELIVERY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 33: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 225-1.8(a)

Item 33.1:

The Compliance Certification activity will be performed for the Facility.

Item 33.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



(a) Upon request, an owner or operator of a facility which purchases and fires coal and/or oil shall submit reports to the commissioner containing fuel analysis data, information on the quantity of the fuel received, burned, and results of any stack sampling, stack monitoring and any other procedures to ensure compliance with the provisions of 6 NYCRR Part 225-1. All records shall be available for a minimum of five years.

Reference Test Method: ASTM Methods

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 34: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 225-1.8(a)

Item 34.1:

The Compliance Certification activity will be performed for the Facility.

Item 34.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Reference Test Method: ASTM Methods

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 35: Sampling, compositing, and analysis of fuel samples
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 225-1.8(d)

Item 35.1:



All sampling, compositing, and analysis of fuel samples, taken to determine compliance with 6 NYCRR Part 225-1, must be done in accordance with methods acceptable to the commissioner.

Condition 36: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 36.1:

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

Emission Unit: U-00451

Emission Unit: U-00452

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

Item 36.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity. Compliance with the opacity standard may be determined by: (1) conducting observations in accordance with Reference Method 9; (2) evaluating Continuous Opacity Monitoring System (COMS) records and reports; and/or (3) considering any other credible evidence. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).

2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:



- date and time of day
- observer's name
- identity of emission point
- weather condition
- was a plume observed?

Inclement weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry and shall be available for inspection by USEPA and/or Department representatives upon request.

3) Visible emissions greater than 0% opacity are not necessarily indicative of an emission violation, but rather serve as a trigger for additional testing and/or further investigation to determine compliance with the opacity limit. If the operator observes emissions greater than 0% opacity (other than steam**) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance. If, however, the opacity observed seems excessive and/or unusual and a Method 9 certified evaluator is not available to determine the opacity at that time, immediate attention is required to correct the problem causing the opacity. A description of the plume, the cause of the problem, the corrective action taken and the time that the source associated with the potential noncompliance operated with visible emissions shall also be documented in the daily logbook.

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

All stationary combustion installations shall be operated



and maintained according to manufacturer's specifications and tuned annually to insure proper performance and compliance with the regulatory limit for opacity. Records demonstrating hours of operation, fuel usage, the manufacturer's maintenance requirements and procedures and maintenance/annual tune-ups performed for these sources shall be maintained onsite for five years and be readily available to NYSDEC representatives upon request.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 37: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 227-1.6

Item 37.1:

The Compliance Certification activity will be performed for the facility:

The Compliance Certification applies to:

Emission Unit: U-00451

Emission Unit: U-00452

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

§227-1.6 Corrective action.

(a) Any person found to have violated any provision of this Part shall not cause, permit or allow operation of the stationary combustion installation involved in the violation unless:

(1) it is equipped with approved emission control equipment;

(2) it is rehabilitated or upgraded in an approved manner;or



(3) the fuel is changed to an acceptable type.

(b) The commissioner may seal such stationary combustion installation so as to prevent any operation if the conditions of paragraphs (a)(1)-(3) of this section are not met within the time provided by the order of final determination issued in the case of the violation.

(c) No person shall cause, permit or allow operation of any stationary combustion installation sealed by the commissioner in accordance with this section.

(d) No person except the commissioner or his representatives shall remove, tamper with or destroy any seal affixed to any stationary combustion installation in accordance with this section.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

**** Emission Unit Level ****

**Condition 38: Emission Point Definition By Emission Unit
Effective between the dates of 06/17/2009 and 06/16/2014**

Applicable Federal Requirement:6NYCRR 201-6

Item 38.1:

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

Emission Unit: U-00451

Emission Point: 0451A

Height (ft.): 200

Diameter (in.): 84

NYTMN (km.): 4753.7

NYTME (km.): 183.4

Building: 21

Item 38.2:

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

Emission Unit: U-00452

Emission Point: 0452A

Height (ft.): 70

Diameter (in.): 48

NYTMN (km.): 4753.7

NYTME (km.): 183.4

Building: 77

Emission Point: 0452B



Height (ft.): 70 Diameter (in.): 48
NYTMN (km.): 4753.7 NYTME (km.): 183.4 Building: 77

Condition 39: Process Definition By Emission Unit
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 39.1:

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

Emission Unit: U-00451
Process: 51A Source Classification Code: 1-02-006-02
Process Description:

Process 51A consists of the operation of the Cleaver Brooks DLD-68E (ES 0451A (Boiler No. 1)) and/or Babcock Wilcox FJ-18-36 (ES 0451B (Boiler No. 2)) boilers with natural gas to generate steam for the Cereal Plant. The maximum design heat input capacities of these boilers are 66.9 MMBTU/hr and 58.8 MMBTU/hr, respectively. Sources of emissions from this process include sulfur dioxide, nitrogen oxides, carbon monoxide, particulates, PM-10, volatile organic compounds and hazardous air pollutants.

Emission Source/Control: 0451A - Combustion

Emission Source/Control: 0451B - Combustion

Item 39.2:

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

Emission Unit: U-00451
Process: 51C Source Classification Code: 1-02-004-02
Process Description:

Process 51C consists of the combustion of residual (No. 6) fuel oil in the Babcock Wilcox FJ-18-36 boiler (ES 0451B (Boiler No. 2)) to generate steam for processes at the Cereal Plant. Sources of emissions from this process include sulfur dioxide, nitrogen oxides, carbon monoxide, particulates, PM-10, volatile organic compounds and hazardous air pollutants.

Emission Source/Control: 0451B - Combustion

Design Capacity: 58.8 million Btu per hour

Item 39.3:

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

Emission Unit: U-00452
Process: 52A Source Classification Code: 2-02-002-03
Process Description:



This process consists of the operation of the Solar Centaur H gas turbine and, if needed, the Deltak waste heat boiler, both fueled solely with natural gas. The maximum throughput of natural gas to the turbine and the waste heat boiler are 52,300 cfh and 53,600 cfh (with the turbine in service), respectively. Sources of emissions from this process are: sulfur dioxide, nitrogen oxides, carbon monoxide, particulates, PM-10, volatile organic compounds and hazardous air pollutants.

There are 2 emission stacks associated with Process 52A. When the demand for steam at the Cereal Plant is large, heat created during the generation of electricity in the turbine is sent to the Deltak boiler to produce process steam, exhausting emissions through EP 0452B. If the process steam demand is reduced, the heat from the turbine is diverted to Emission Point 0452A, by-passing the Deltak waste heat boiler.

Emission Source/Control: 0452A - Combustion

Emission Source/Control: 0452B - Combustion

Item 39.4:

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

Emission Unit: U-00452

Process: 52B

Source Classification Code: 1-03-006-02

Process Description:

This process consists of the Deltak Boiler operating on natural gas to produce process steam for the Cereal Plant and/or heat for the Flour Mill, without operating the Solar turbine. One or two burners may be ignited during this process, depending on the steam demand. The maximum throughput of natural gas to the boiler is 90,800 cfh. Sources of emissions from this process are: sulfur dioxide, nitrogen oxides, carbon monoxide, particulates, PM-10, volatile organic compounds and hazardous air pollutants.

Emission Source/Control: 0452B - Combustion

Design Capacity: 90.8 million Btu per hour

Condition 40: Compliance Certification

Effective between the dates of 06/17/2009 and 06/16/2014

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

Item 40.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00451

Emission Point: 0451A

Process: 51C

Emission Source: 0451B



Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

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

At the monitoring frequency stated below the facility shall perform the following:

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

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: EPA RM 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 41: Applicability of General Provisions of 40 CFR 60 Subpart A Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 40CFR 60, NSPS Subpart A

Item 41.1:

This Condition applies to Emission Unit: U-00452

Process: 52A

Emission Source: 0452A



Item 41.2:

This emission source is subject to the applicable General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements.

Condition 42: EPA Region 2 address.
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 42.1:

This Condition applies to Emission Unit: U-00452
Process: 52A Emission Source: 0452A

Item 42.2:

All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
USEPA Region 2
290 Broadway, 21st Floor
New York, NY 10007-1886

Copies of all correspondence to the administrator pursuant to this part shall also be submitted to the NYSDEC Regional Office issuing this permit (see address at the beginning of this permit) and to the following address:

NYSDEC
Bureau of Quality Assurance
625 Broadway
Albany, NY 12233-3258

Condition 43: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:40CFR 60.7, NSPS Subpart A

Item 43.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00452
Process: 52A Emission Source: 0452A

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:



Any owner or operator subject to the provisions of this part shall comply with all applicable notification and record keeping requirements in this section.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification as follows:

- (1) A notification of the date construction or reconstruction of an affected facility is commenced, postmarked no later than 30 days after such date.
- (2) A notification of the anticipated date of initial startup, postmarked not more than 60 days nor less than 30 days prior to such date.
- (3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.
- (4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under this part. This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
- (6) A Notification of the anticipated date for conducting the opacity observations required by 40CFR60.11 (e)(1) of this part, postmarked not less than 30 days prior to such date.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 44: Circumvention.
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 44.1:

This Condition applies to Emission Unit: U-00452



Process: 52A

Emission Source: 0452A

Item 44.2:

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 45: Compliance Certification
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 40CFR 60.332(a)(2), NSPS Subpart GG

Item 45.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00452

Process: 52A

Emission Source: 0452A

Regulated Contaminant(s):

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

Item 45.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No owner or operator shall discharge to the atmosphere from a stationary gas turbine, emissions of nitrogen oxides in excess of the following:

$$\text{STD} = 0.0150 * [(14.4) / Y] + F$$

Where: STD = allowable nitrogen oxide emissions in percent volume at 15% excess oxygen on a dry basis,

Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour) or the actual measured heat rate based on the lower heating value of the fuel as measured at actual peak load of the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour,

F = nitrogen oxide emission allowance for fuel bound nitrogen:

Fuel bound nitrogen % by weight, where F equals NOx % by volume

$N \leq 0.015 : F = 0$

$0.015 < N \leq 0.1 : 0.04(N)$



$0.1 < N \leq 0.25 : 0.004 + 0.0067(N - 0.1)$

$N > 0.25 : 0.005$

In lieu of performing on-site maintenance/repairs, General Mill's may exchange the turbine for an identical factory rebuilt turbine every three to five years, as recommended by the manufacturer. The unit is small and it is easier to repair at the manufacturer's facility than at General Mills. An evaluation of reconstruction costs per NSPS 60.15 are required when replacement or rebuilding occurs.

Any time that the turbine is exchanged, a stack test, per the requirements of 40 CFR 60, Subpart GG is required.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 150 parts per million by volume

(dry, corrected to 15% O₂)

Reference Test Method: EPA Method 20

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 46: Exemption from NO_x standard.

Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:40CFR 60.332(k), NSPS Subpart GG

Item 46.1:

This Condition applies to Emission Unit: U-00452

Process: 52A

Emission Source: 0452A

Item 46.2:

Gas turbines ≥ 10 mmBtu/hr heat input firing gas are exempt when firing an emergency fuel.

Condition 47: Compliance Certification

Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement:40CFR 60.333(b), NSPS Subpart GG

Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00452

Process: 52A

Emission Source: 0452A

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE



Item 47.2:

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 stationary gas turbine subject to 40CFR60 Subpart GG shall burn in that turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw). The owner or operator shall monitor sulfur content of the fuel being fired in the turbine according to the frequency specified in 40CFR60.334(h)(3). All records used to show compliance with this limit shall be maintained onsite for 5 years and shall be readily available for review by NYSDEC or USEPA representatives upon request.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.8 percent by weight

Reference Test Method: See 40CFR60.335(d)

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY
TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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

Condition 48: Compliance Certification

Effective between the dates of 06/17/2009 and 06/16/2014

Applicable Federal Requirement: 40CFR 60.334(h)(3), NSPS Subpart GG

Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00452

Process: 52A

Emission Source: 0452A

Regulated Contaminant(s):

CAS No: 007446-09-5

SULFUR DIOXIDE

Item 48.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

(3) Notwithstanding the provisions of paragraph (h)(1) of this section, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel



combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or

(ii) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

Since General Mills purchases natural gas from National Fuel Gas Distribution Corp., which states on tariff leaf 118 that the natural gas delivered shall not exceed 20 grains of total sulphur per 100 cubic feet of gas, additional monitoring of total sulfur in the gaseous fuel is not required. General Mills shall maintain these records onsite and provide them to NYSDEC or USEPA representatives upon request.

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 20 grains per 100 scf

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2009.

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



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 49: Contaminant List
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable State Requirement:ECL 19-0301

Item 49.1:

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

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

CAS No: 0NY075-00-0



Name: PARTICULATES

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 50: Unavoidable noncompliance and violations
Effective between the dates of 06/17/2009 and 06/16/2014**

Applicable State Requirement:6NYCRR 201-1.4

Item 50.1:

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

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

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

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

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



(e) In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets.

Condition 51: Air pollution prohibited
Effective between the dates of 06/17/2009 and 06/16/2014

Applicable State Requirement:6NYCRR 211.2

Item 51.1:

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

