

Facility DEC ID: 9562800019

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 9-5628-00019/00002
Effective Date: 09/26/2025 Expiration Date: 09/25/2035

Permit Issued To: SYNERGY BIOGAS, LLC
30 LAKEWOOD CIRCLE NORTH
GREENWICH, CT 06830

Contact: BOB BLYTHE
SYNERGY BIOGAS LLC
6534 LEMLEY RD
WYOMING, NY 14591-14591
(609) 592-4727

Facility: SYNERGY BIOGAS PLANT
6466 LEMLEY RD
Covington, NY 14591

Description:

This is a renewal of the Air State Facility permit issued to Synergy Biogas LLC under DEC ID: 9-5628-00019. Synergy Biogas produces biogas by anaerobically digesting dairy manure and food processing wastes. An existing dairy farm supplies most of the manure from 2,400 lactating cow equivalents used in the biogas facility and provides the location for the biogas facility.

Biogas is produced by mixing and anaerobically digesting manure and other available organic waste. Biogas is then combusted in a reciprocating engine that drives a generator to produce electricity. Heat from the engine is recovered for use in the process. The process system consists of a steel digester tank, containerized support systems, one containerized combined heat and power generation (CHP) unit with a 1,966 bhp GE Jenbacher JS 420 engine, an open flare and an existing manure collection system. The facility operates two (2) nonexempt emission points, the open flare and the engine exhaust. The facility is designed to process approximately 80,000 gallons of manure and up to 40,000 gallons food waste daily.

Synergy Biogas LLC must comply with the applicable requirements of 40 CFR 60 Subpart JJJJ - Standards of Performance for Stationary Spark Ignition Internal Combustion Engines for the stationary spark ignition internal combustion engine. The emission standards for the engine are as follows:

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-Carbon monoxide = 5.0 grams per brake horsepower-hour or 610 ppmvd at 15% oxygen

-Oxides of nitrogen = 2.0 grams per brake horsepower-hour or 150 ppmvd at 15% oxygen.

-Volatile organic compounds = 1.0 gram per brake horsepower-hour or 80 ppmvd at 15% oxygen.

The engine must be tested to demonstrate compliance with the applicable emission standards. The engine shall be tested every 8,760 hours of operation or every 3 years, whichever is first.

The engine shall be maintained and operated in a manner consistent with good air pollution control practice for minimizing emissions. The facility must keep a maintenance plan and records of conducted maintenance.

The flare shall be operated in accordance with 40 CFR 60.18. On-going compliance monitoring of the flare is completed by operating a flame temperature and gas flow rate monitoring device.

The flare is subject to 6 NYCRR Part 212-1.6(a) and shall not produce emissions having an average opacity during any six consecutive minutes of 20 percent or greater. The facility shall demonstrate compliance by performing monthly visible emission checks.

The next renewal application must be submitted to the New York State Department of Environmental Conservation (NYSDEC) at least 180 days, but not more than 18 months, prior to the date of permit expiration. While the renewal application is being processed by NYSDEC, the owner or operator of the facility may continue to operate under the terms and conditions of the existing permit, provided the application is submitted in accordance with 6 NYCRR Part 201-5.2(c).

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: KRISTINE M CARLSON
NYSDEC - REGION 9
700 DELAWARE AVE
BUFFALO, NY 14209

Authorized Signature: _____ Date: ____ / ____ / ____

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Notification of Other State Permittee Obligations**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

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DEC GENERAL CONDITIONS

**** General Provisions ****

GENERAL CONDITIONS - Apply to ALL Authorized Permits.**Condition 1: Facility Inspection by the Department****Applicable State Requirement: ECL 19-0305****Item 1.1:**

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations**Applicable State Requirement: ECL 3-0301 (2) (m)****Item 2.1:**

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

Condition 3: Applications for permit renewals, modifications and transfers**Applicable State Requirement: 6 NYCRR 621.11****Item 3.1:**

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

Item 3.2:

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

Item 3.3

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

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

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 9 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
NYSDEC Regional Permit Administrator
Region 9 Headquarters
Division of Environmental Permits
700 Delaware Ave.,
Buffalo, NY 14209
(716) 851-7130

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

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Permit Issued To: SYNERGY BIOGAS, LLC
30 LAKEWOOD CIRCLE NORTH
GREENWICH, CT 06830

Facility: SYNERGY BIOGAS PLANT
6466 LEMLEY RD
Covington, NY 14591

Authorized Activity By Standard Industrial Classification Code:
0291 - GEN FARMS PRIMARILY LIVESTOCK
4911 - ELECTRIC SERVICES

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FEDERALLY ENFORCEABLE CONDITIONS

Renewal 3/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6 NYCRR 200.5

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

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

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

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

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

Item C: Maintenance of Equipment - 6 NYCRR 200.7

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

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required to operate such device effectively.

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

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

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

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

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

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

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

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

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

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

Item H: Proof of Eligibility for Sources Defined as Trivial

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Activities - 6 NYCRR 201-3.3 (a)

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

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

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

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

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

Item K: Permit Exclusion - ECL 19-0305

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

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

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

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 1: Visible Emissions Limited
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable Federal Requirement: 6 NYCRR 211.2

Item 1.1:

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

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

Condition 2: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

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

Item 2.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CHPCE

Item 2.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

The flare is subject to 6 NYCRR 212-1.6(a), and shall not be operated with greater than 20 percent opacity (based on a six-minute average). NYSDEC reserves the right to perform or require the performance of a Method 9 opacity

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evaluation at any time during facility operation.

The facility shall conduct a monthly visible emissions (VE) survey of the flare while operating. Normal operation of the flare should not result in visible emissions.

If visible emissions are observed, corrective actions shall be taken to address the visible emissions. After corrective actions are complete, an additional visual observation of the emission point shall be made the following calendar day to see if visible emissions are still occurring. If visible emissions (other than condensing moisture or steam) are observed for 2 consecutive calendar days, a Method 9 test shall be conducted within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity. The facility shall notify NYSDEC if the Method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up Method 9 tests), investigations and corrective actions will be kept on-site in a bound logbook and include the date, time, observer's name, weather conditions and a description of the observations (steam, visible emissions, etc.). These records shall be kept on site for a period of 5 years from the date of the last entry. Should NYSDEC determine that the record keeping format is inadequate to demonstrate compliance, it shall provide written notice stating the inadequacies, the facility shall have 90 days to revise its prospective record keeping format in a manner acceptable to NYSDEC.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: EPA METHOD 9

Monitoring Frequency: MONTHLY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 3: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

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

Item 3.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CHPCE

Item 3.2:

Compliance Demonstration shall include the following monitoring:

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Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility is subject to the requirements of 6 NYCRR Part 212 – Process Emissions. To demonstrate compliance with 6 NYCRR Part 212-2.3(b), the facility shall operate an open combustion device (i.e., flare) when the engine is not operating to reduce emissions from the collected digester gas. The flare shall be operated in accordance with the federal New Source Performance Standards established for open flares, identified as 40 CFR 60.18.

The flare shall be operated with a flame present at all times. The presence of a flame shall be monitored using a thermocouple or similar. The facility shall operate and maintain the flare and temperature monitor in accordance with the manufacturer's specifications.

The facility shall maintain the following records to show proper operation of the flare:

- (a) Temperature of the flare, recorded every 1 minute
- (b) Gas flow to the flare, recorded every 15 minutes
- (c) Records of maintenance performed on the flare and associated monitoring equipment

These records shall be maintained for five years from the latest entry and be made available to NYSDEC upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 4: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable Federal Requirement: 40CFR 60.4245(a), NSPS Subpart JJJJ

Item 4.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CHPCE

Item 4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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Per 40 CFR 60.4245(a), owners and operators of all stationary SI ICEs must maintain the following records:

- (1) All notifications submitted to comply with 40 CFR 60 Subpart JJJJ and all documentation supporting any notification.
- (2) Records of maintenance conducted on the engine.
- (3) If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 1048, 1054, and 1060, as applicable.
- (4) If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 5: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable Federal Requirement: 40 CFR 60.4233(e), NSPS Subpart JJJJ

Item 5.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CHPCE

Process: 001

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

As per 40 CFR 60.4233(e), the volatile organic compound (VOC) emission standard for the 1,966 HP GE Jenbacher is 1.0 gram per brake horsepower-hour or 80 ppmvd at 15% oxygen.

Per 40 CFR 60.4243(b)(2)(ii), the facility shall conduct performance testing on the 1,966 HP GE Jenbacher engine every 8,760 hours of operation or 3 years, whichever comes first. Performance tests shall follow the requirements established under 40 CFR 60.4244.

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Per 40 CFR 60.4245(d), any performance test results used to show compliance with the requirements of 40 CFR 60 Subpart JJJJ shall be submitted within 60 days after the date of completing each performance test. The results must be submitted following the procedures specified in 40 CFR 60.4245. Test reports shall be submitted to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI).

Parameter Monitored: VOC

Upper Permit Limit: 80 parts per million by volume (dry,
corrected to 15% O₂)

Reference Test Method: As specified in Table 2 40CFR60 Subpart JJJJ

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTIONAveraging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 6: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable Federal Requirement: 40CFR 60.4233(e), NSPS Subpart JJJJ

Item 6.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CHPCE

Process: 001

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

As per 40 CFR 60.4233(e), the carbon monoxide emission standard for the 1,966 HP GE Jenbacher is 5.0 grams per brake horsepower-hour or 610 ppmvd at 15% oxygen.

Per 40 CFR 60.4243(b)(2)(ii), the facility shall conduct performance testing on the 1,966 HP GE Jenbacher engine every 8,760 hours of operation or 3 years, whichever comes first. Performance tests shall follow the requirements established under 40 CFR 60.4244.

Per 40 CFR 60.4245(d), any performance test results used to show compliance with the requirements of 40 CFR 60

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Subpart JJJ shall be submitted within 60 days after the date of completing each performance test. The results must be submitted following the procedures specified in 40 CFR 60.4245. Test reports shall be submitted to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI).

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 610 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: As specified in table 2 40CFR60 Subpart JJJ

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTIONAveraging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 7: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable Federal Requirement: 40CFR 60.4233(e), NSPS Subpart JJJ**Item 7.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CHPCE

Process: 001

Regulated Contaminant(s):

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

Item 7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

As per 40 CFR 60.4233(e), the oxides of nitrogen emission standard for the 1,966 HP GE Jenbacher is 2.0 grams per brake horsepower-hour or 150 ppmvd at 15% oxygen.

Per 40 CFR 60.4243(b)(2)(ii), the facility shall conduct performance testing on the 1,966 HP GE Jenbacher engine every 8,760 hours of operation or 3 years, whichever comes first. Performance tests shall follow the requirements established under 40 CFR 60.4244.

Per 40 CFR 60.4245(d), any performance test results used to show compliance with the requirements of 40 CFR 60 Subpart JJJ shall be submitted within 60 days after the date of completing each performance test. The results must

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be submitted following the procedures specified in 40 CFR 60.4245. Test reports shall be submitted to the EPA via the Compliance and Emissions Data Reporting Interface (CEDRI).

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 150 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: As specified in Table 2 40CFR60 Subpart JJJJ

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 8: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable Federal Requirement: 40CFR 60.4243(b)(2)(ii), NSPS Subpart JJJJ

Item 8.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-CHPCE

Process: 001

Item 8.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Per 40 CFR 60.4243, the facility shall maintain and operate the Jenbacher JS 420 combustion engine in a manner consistent with good air pollution control practice for minimizing emissions. The facility shall keep a maintenance plan and records of conducted maintenance. These records shall be kept on-site and be made available to NYSDEC upon request.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

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STATE ONLY ENFORCEABLE CONDITIONS

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 9: Contaminant List
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable State Requirement:ECL 19-0301**Item 9.1:**

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

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

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

CAS No: 0NY998-00-0
Name: VOC

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Condition 10: Malfunctions and Start-up/Shutdown Activities
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable State Requirement:6 NYCRR 201-1.4

Item 10.1:

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

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

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

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

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

Condition 11: Emission Unit Definition
Effective between the dates of 09/26/2025 and 09/25/2035

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 11.1:

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

Emission Unit: 1-CHPCE

Emission Unit Description:

Emission Unit 1-CHPCE includes operation of a renewable energy facility based on the production of biogas by anaerobic digestion. Biogas is produced by mixing and anaerobically digesting manure and other available organic waste. The biogas is burned to produce electricity and thermal energy. The system consists of a steel digester tank, containerized support systems, one containerized combined heat and power generation (CHP) unit, an open flare and an existing manure collection system.

Condition 12: Renewal deadlines for state facility permits
Effective between the dates of 09/26/2025 and 09/25/2035

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

Item 12.1:

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

Condition 13: Compliance Demonstration
Effective between the dates of 09/26/2025 and 09/25/2035

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

Item 13.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 13.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

Division of Air Resources
NYS Dept. of Environmental Conservation
Region 9
700 Delaware Ave.,
Buffalo, N.Y. 14209

Monitoring Frequency: UPON REQUEST OF REGULATORY AGENCY

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 14: Air pollution prohibited
Effective between the dates of 09/26/2025 and 09/25/2035

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Applicable State Requirement:6 NYCRR 211.1**Item 14.1:**

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.

****** Emission Unit Level ********Condition 15: Emission Point Definition By Emission Unit
Effective between the dates of 09/26/2025 and 09/25/2035****Applicable State Requirement:6 NYCRR Subpart 201-5****Item 15.1:**

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

Emission Unit: 1-CHPCE

Emission Point: CHP01

Height (ft.): 35 Diameter (in.): 16
NYTMN (km.): 4746.246 NYTME (km.): 250.465

Emission Point: FLARE

Height (ft.): 21 Diameter (in.): 43
NYTMN (km.): 4746.246 NYTME (km.): 250.465

**Condition 16: Process Definition By Emission Unit
Effective between the dates of 09/26/2025 and 09/25/2035****Applicable State Requirement:6 NYCRR Subpart 201-5****Item 16.1:**

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

Emission Unit: 1-CHPCE

Process: 001

Source Classification Code: 2-01-002-07

Process Description:

Process 001 includes a single combined heat and power (CHP) 1,966 bhp internal combustion engine (Jenbacher JS 420) typically operating at full load 100% of the year.

Biogas from the digester is sent through a desulphurization unit and received by the engine at a rate of 501 standard cubic feet per minute.

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Emission Source/Control: CHP01 - Combustion
Design Capacity: 1,966 brake horsepower

Emission Source/Control: DSLPH - Control
Control Type: FLUE GAS DESULFURIZATION SYSTEM

Emission Source/Control: DGSTR - Process
Design Capacity: 2.375 million gallons

Item 16.2:

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

Emission Unit: 1-CHPCE
Process: 002 Source Classification Code: 3-10-002-05
Process Description:
Process 002 includes an open flare which is expected to
be used at full load when the engine is not operating.

Emission Source/Control: FLR01 - Control
Control Type: FLARING

Emission Source/Control: DGSTR - Process
Design Capacity: 2.375 million gallons

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