



**New York State Department of Environmental Conservation
Permit Review Report**

Permit ID: 9-2911-00113/00039

Renewal Number: 2

06/04/2015

Facility Identification Data

Name: COVANTA NIAGARA LP

Address: 100 ENERGY BLVD AT 56TH ST

NIAGARA FALLS, NY 14304

Owner/Firm

Name: COVANTA NIAGARA I LLC

Address: 100 ENERGY BLVD

NIAGARA FALLS, NY 14304, USA

Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:

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Air Permitting Facility Owner Contact:

Name: CHRIS SCHIFFERLI

Address: COVANTA NIAGARA

100 ENERGY BLVD

NIAGARA FALLS, NY 14304

Phone:7162788524

Permit Description

Introduction

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

Application for renewal of Air Title V Facility. The renewal includes several minor modifications and comments and the addition of a Steam Expansion Project. The Steam Expansion Project involves the installation of one natural gas fired 273 MMBtu/hr boiler (Boiler 5) equipped with a low NOx burner and



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flue gas recirculation. This boiler will be used to supply steam to neighboring industrial facilities.

Attainment Status

COVANTA NIAGARA LP is located in the town of NIAGARA FALLS in the county of NIAGARA. The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
Particulate Matter (PM)	ATTAINMENT
Particulate Matter < 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	MARGINAL NON-ATTAINMENT
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT

* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.
** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

The site consists of two Deutsche Babcock Anlagen (DBA) furnace/boiler systems combusting solid wastes. One alternate fuels combustion system, one fossil fuel fired boiler and one fuel oil fired boiler system are also located at the site. The site has all other auxiliary equipment which is associated with a facility of this type, including but not limited to the following: an enclosed tipping hall, ash loadout area, cooling tower, and various storage areas. The high-pressure steam which is produced in the boilers at the site is normally put through two extracting/condensing turbines to produce both electricity and extraction (low pressure) steam. The electricity is used to power the facility and the excess electricity is sold into the power grid. The low-pressure steam that is produced in the extracting section of the turbine generators is sold to several neighboring industrial facilities. Boiler B-110 is controlled by Covanta Niagara through a lease agreement. The major sources of emissions at the site are the two DBA boilers, alternate fuels boiler, two fossil-fueled fired boilers and ash loadout area. All other activities at the site are categorized as exempt or trivial as defined in 6NYCRR Part 201-3.2 and 201-3.3.

This permit is a renewal and modification of the existing Title V permit. The modifications consist of installation of one 273 MMBtu/hr natural gas fired boiler system (at maximum continuous rating [MCR] with peak firing up to 105% of MCR) including a new 190 foot stack and supporting equipment, which will be used to supply low-pressure steam to neighboring industrial facilities.

Permit Structure and Description of Operations

The Title V permit for COVANTA NIAGARA LP is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is



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subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

COVANTA NIAGARA LP is defined by the following emission unit(s):

Emission unit U110EF - This emission unit consists of four emission points (boilers) which are EP R1B01 (existing EFW1 reconfigured with low NOx burners or using existing burners if permit limits can be met and NOx CEMs installed), EP R1B02 (existing EFW2), EP 00003 (B-110), and EP BLR05 (new natural gas-fired boiler #5). Boilers EFW1, EFW2 and B-110 are permitted to combust fossil fuels (i.e., low sulfur distillate oil and natural gas). Boiler #5, which is equipped with a low-NOx burner and flue gas recirculation, is permitted to fire natural gas only. In addition, R1B02 is allowed combustion of alternate fuels (ALT) which consist primarily of waste wood.

Emission unit U110EF is associated with the following emission points (EP):
00003, BLR05, R1B01, R1B02

Process: AL2 is located at Building EFW12 - This process represents all five processes for this emission unit (i.e., OIL, GAS, ALT, OAG and STH) combined for any particular contaminant listed in the process emission summary or emission unit compliance certification.

Process: ALT is located at Building EFW12 - This process involves the combustion of alternate fuels (or the cofiring of natural gas and alternate fuels) in emission point R1B02. During combustion of this process, simultaneous combustion of distillate fuel oil in emission point B-110, natural gas in emission point R1B01, natural gas in emission point BLR05, and solid waste in emission point 00001's two mass burn incinerators is permitted. Simultaneous firing of low sulfur distillate fuel oil in emission point R1B01 is prohibited. The type of alternate fuel that is processed shall be approved by NYSDEC Region 9 air pollution control engineer.

Process: B5G is located at First, Building STEAM - This process involves the combustion of natural gas in emission point BLR05. The maximum continuous rating (MCR) of this boiler is 273 MMBtu/hr, with a peak firing rate of 105% of MCR (287 MMBtu/hr).

Process: GAS is located at Building EFW12 - This process involves the combustion of gas in any one or all of the three emission points (R1B01, R1B02 or B-110). Precipitator operation is not required when burning only gas.



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Process: OAG is located at 00000BLR50, Building EFW12 - This process involves the combustion of low sulfur distillate oil and natural gas in the three existing fossil-fuel fired boilers (i.e., R1B01, R1B02 and B-110 for the emission unit U-110EF). All three boilers may operate simultaneously at their maximum rated heat input provided: 1) R1B01 fires natural gas and; 2) R1B02 fires either natural gas and/or alternate fuels when B-110 is firing low sulfur distillate oil. New boiler BLR05 may operate simultaneously with the other three boilers at its maximum rated heat input firing natural gas.

Process: OIL is located at 00000BLR50, Building EFW12 - This process involves the combustion of low sulfur distillate oil in any one or all of the three emission points (R1B01, R1B02 or B-110).

Process: STH is located at 00000BLR50, Building EFW12 - This process involves the start up, shut down, and upset conditions of emission unit U-110EF. Natural gas or low sulfur distillate oil is used to bring each boiler on-line and off-line. Precipitator operation is not required when natural gas or oil is fired. Boiler B-110 does not have a precipitator.

Emission unit UASHBD - This emission unit consists of a ventilation system for the ash loadout building.

Emission unit UASHBD is associated with the following emission points (EP):

00006

Process: VNT is located at Building ALOBD - This process involves the operation of the ash loadout system.

Emission unit U00001 - This emission unit consists of a single emission point which is a flue from the exhaust of two DBA systems. The two systems are identical and independent up to the stack where the flues become common. The waste to energy systems are permitted to process wastes including household, commercial, and industrial non-hazardous wastes.

Emission unit U00001 is associated with the following emission points (EP):

00001

Process: AL3 is located at Building STACK - This process represents all operating scenarios (that is start-up, shut down, malfunctions and combustion of municipal solid waste) for the long term emission limits (tons per year). The facility shall comply with the emission limits associated with this process.

Note: auxiliary fuel - the facility uses natural gas as an auxiliary fuel. Natural gas is used during startup to warm the unit up to the minimum required combustion zone temperature before introducing solid waste into the furnace and during the transition period before the combustion is fully sustained by solid waste. Natural gas is used as an auxiliary fuel during shutdown in order to maintain minimum combustion zone temperature until solid waste is burned off the grates. Auxiliary fuel is also used during periods of upset and any other time the furnace temperature/residence time requirements would not otherwise be met.

Note: startup - startup period begins when the unit's feed chute damper is opened and continuous burning of solid waste has commenced, and does not include any warm up period.

Note: shutdown - the shutdown period at the facility commences when a unit's ram feeder is shut (this is



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the time at which continuous feeding is ceased). Shutdown of a unit is complete when solid waste is burned off the grates. The operator verifies that the shutdown is complete by visually inspecting the grates to make sure the fires are out.

(Note: This process replaced process AL1 on 04/18/2008.)

Process: AL4 is located at Building STACK - This process represents all operating scenarios (that is start-up, shut down, malfunctions and combustion of municipal solid waste) for the long term emission limits (tons per year). The facility shall comply with the emission limits associated with this process.

Note: auxiliary fuel - the facility uses natural gas as an auxiliary fuel. Natural gas is used during startup to warm the unit up to the minimum required combustion zone temperature before introducing solid waste into the furnace and during the transition period before the combustion is fully sustained by solid waste. Natural gas is used as an auxiliary fuel during shutdown in order to maintain minimum combustion zone temperature until solid waste is burned off the grates. Auxiliary fuel is also used during periods of upset and any other time the furnace temperature/residence time requirements would not otherwise be met.

Note: startup - startup period begins when the unit's feed chute damper is opened and continuous burning of solid waste has commenced, and does not include any warm up period.

Note: shutdown - the shutdown period at the facility commences when a unit's ram feeder is shut (this is the time at which continuous feeding is ceased). Shutdown of a unit is complete when solid waste is burned off the grates. The operator verifies that the shutdown is complete by visually inspecting the grates to make sure the fires are out.

(Note: This process replaced process AL1 on 04/18/2008.)

Process: MW3 is located at Building STACK - This process involves the combustion of solid wastes which include residential, commercial and industrial non-hazardous wastes by a DBA system. All wastes are combusted for the purpose of disposal and energy recovery. For periods of startup, shutdown, or malfunction, the facility will utilize the procedures in 40 CFR 60.58a(a) as well as 40 CFR 60.58b(a)(1) to assess compliance. Also the malfunction and emergency defense provisions of 6 NYCRR Parts 201-1.4 and 201-1.5 apply to the facility.

(Note: This process replaced process MSW on 04/18/2008.)

Process: MW4 is located at Building STACK - This process involves the combustion of solid wastes which include residential, commercial and industrial non-hazardous wastes by a DBA system. All wastes are combusted for the purpose of disposal and energy recovery. For periods of startup, shutdown, or malfunction, the facility will utilize the procedures in 40 CFR 60.58a(a) as well as 40 CFR 60.58b(a)(1) to assess compliance. Also the malfunction and emergency defense provisions of 6 NYCRR Parts 201-1.4 and 201-1.5 apply to the facility.

(Note: This process replaced process MSW on 04/18/2008.)

Process: ST3 is located at Building STACK - This process is for the start up, shut down and malfunctions situation. Fossil fuels (natural gas and low sulfur distillate oil only) shall be used during the start up, shut down, and other upset conditions on an "as needed" basis.

(Note: This process replaced process STS on 04/18/2008.)



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Process: ST4 is located at Building STACK - This process is for the start up, shut down and malfunctions down, and other upset conditions on an "as needed" basis.

(Note: This process replaced process STS on 04/18/2008.)

Title V/Major Source Status

COVANTA NIAGARA LP is subject to Title V requirements. This determination is based on the following information:

The facility is potentially major for carbon monoxide, oxides of nitrogen, sulfur dioxide, particulates, and hydrogen chloride.

Program Applicability

The following chart summarizes the applicability of COVANTA NIAGARA LP with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	YES
NSR (non-attainment)	NO
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	YES
NSPS	YES
TITLE IV	NO
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR Part 231) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).



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MACT Maximum Achievable Control Technology (40 CFR 63) - contaminant and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subparts A thru G) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212.10, 226, 227-2, 228, 229, 230, 232, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code

Description

4939
4953

COMBINATION UTILITY SERVICES
REFUSE SYSTEMS

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SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
1-02-005-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - DISTILLATE OIL Grades 1 and 2 Oil
1-02-006-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - NATURAL GAS Over 100 MBtu/Hr
1-02-009-01	EXTERNAL COMBUSTION BOILERS - INDUSTRIAL INDUSTRIAL BOILER - WOOD/BARK WASTE Bark-Fired Boiler (> 50,000 LB Steam)
5-01-001-02	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - MUNICIPAL INCINERATION Mass Burn: Single Chamber
5-01-004-02	SOLID WASTE DISPOSAL - GOVERNMENT SOLID WASTE DISPOSAL: GOVERNMENT - LANDFILL DUMP FUGITIVE EMISSIONS

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount of material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE Range represents an emission range for a contaminant. Any PTE quantity that is displayed represents a facility-wide emission cap or limitation for that contaminant. If no PTE quantity is displayed, the PTE Range is provided to indicate the approximate magnitude of facility-wide emissions for the specified contaminant in terms of tons per year (tpy). The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant Name	PTE	
		lbs/yr	Range
051207-31-9	2,3,7,8-TETRACHLORODIBENZOFURAN	> 0	but < 2.5 tpy
001746-01-6	2,3,7,8-TETRACHLORODIBENZO-P-DIOXIN	> 0	but < 10 tpy

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0NY508-00-0	40 CFR 60 SUBPART IIII - NMHC + NOX	> 0 but < 2.5 tpy
007664-41-7	AMMONIA	>= 10 tpy but < 25 tpy
007440-36-0	ANTIMONY	> 0 but < 10 tpy
007440-38-2	ARSENIC	> 0 but < 10 tpy
068131-74-8	ASHES (RESIDUES)	> 0 but < 2.5 tpy
007440-41-7	BERYLLIUM	> 0 but < 10 tpy
007440-43-9	CADMIUM	> 0 but < 10 tpy
000124-38-9	CARBON DIOXIDE	>= 100,000 tpy
0NY750-00-0	CARBON DIOXIDE EQUIVALENTS	>= 100,000 tpy
000630-08-0	CARBON MONOXIDE	>= 250 tpy but < 75,000 tpy
007440-47-3	CHROMIUM	> 0 but < 10 tpy
016065-83-1	CHROMIUM (III)	> 0 but < 10 tpy
018540-29-9	CHROMIUM (VI)	> 0 but < 10 tpy
007440-48-4	COBALT	> 0 but < 10 tpy
007440-50-8	COPPER	> 0 but < 2.5 tpy
000050-00-0	FORMALDEHYDE	> 0 but < 10 tpy
007647-01-0	HYDROGEN CHLORIDE	>= 10 tpy
007664-39-3	HYDROGEN FLUORIDE	> 0 but < 10 tpy
007783-06-4	HYDROGEN SULFIDE	>= 2.5 tpy but < 10 tpy
007439-92-1	LEAD	> 0 but < 10 tpy
007439-96-5	MANGANESE	> 0 but < 10 tpy
007439-97-6	MERCURY	> 0 but < 10 tpy
007440-02-0	NICKEL METAL AND INSOLUBLE COMPOUNDS	> 0 but < 10 tpy
0NY210-00-0	OXIDES OF NITROGEN	>= 250 tpy but < 75,000 tpy
0NY075-00-0	PARTICULATES	>= 100 tpy but < 250 tpy
0NY075-02-5	PM 2.5	>= 100 tpy but < 250 tpy
0NY075-00-5	PM-10	>= 250 tpy but < 75,000 tpy
001336-36-3	POLYCHLORINATED BIPHENYL	> 0 but < 10 tpy
130498-29-2	POLYCYCLIC AROMATIC HYDROCARBONS	> 0 but < 10 tpy
007782-49-2	SELENIUM	> 0 but < 10 tpy
007446-09-5	SULFUR DIOXIDE	>= 250 tpy but < 75,000 tpy
007664-93-9	SULFURIC ACID	>= 40 tpy but < 50 tpy
0NY100-00-0	TOTAL HAP	>= 50 tpy but < 100 tpy
007440-62-2	VANADIUM	> 0 but < 2.5 tpy
0NY998-00-0	VOC	>= 50 tpy but < 100 tpy
007440-66-6	ZINC	> 0 but < 2.5 tpy

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by 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.



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- (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 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 and maintained;
 - (3) During the period of the emergency the facility owner 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 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 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 - 6 NYCRR 201-1.10(b)

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

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

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

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

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

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

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

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- Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and 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 201-6.4(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.
- Item H: Property Rights - 6 NYCRR 201-6.4(a)(6)**
This permit does not convey any property rights of any sort or any exclusive privilege.
- Item I: Severability - 6 NYCRR Part 201-6.4(a)(9)**
If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.
- Item J: Permit Shield - 6 NYCRR Part 201-6.4(g)**
All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:
- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
 - ii. The liability of a permittee of the Title V 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.



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Item K: Reopening for Cause - 6 NYCRR Part 201-6.4(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.

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NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

**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.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description
-- FACILITY	ECL 19-0301	169	Powers and Duties of the Department with respect to air pollution control Applicability
U- 110EF/00003/OAG/COMBU	40CFR 52-A.21(i)(3)	132, 133	Applicability
U- 110EF/R1B01/OAG/COMBU	40CFR 52-A.21(i)(3)	141, 142	Applicability
U- 110EF/R1B02/OAG/COMBU	40CFR 52-A.21(i)(3)	164, 165	Applicability
FACILITY	40CFR 52-A.21(j)(2)	52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64	Best Available Control Technology (BACT) (see narrative)
U-110EF/-/B5G	40CFR 60-A	111	General provisions
U- 00001/00001/MW3/INCIN	40CFR 60- Cb.33b(a)(1)(i)	73	Existing Large MWC's - emission limit for particulates
U- 00001/00001/MW3/INCIN	40CFR 60- Cb.33b(a)(1)(i)	74	Existing Large MWC's - emission limit for opacity
U- 00001/00001/MW3/INCIN	40CFR 60- Cb.33b(a)(2)(i)	75	Existing Large MWC's - emission limit for cadmium
U- 00001/00001/MW3/INCIN	40CFR 60-Cb.33b(a)(3)	76, 77	Existing Large MWC's - emission limit for mercury
U- 00001/00001/MW3/INCIN	40CFR 60-Cb.33b(a)(4)	78	Existing Large MWC's - emission limit for lead
U-	40CFR 60-	79, 80	Existing Large MWC's



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00001/00001/MW3/INCIN	Cb.33b(b)(3)(i)		- emission limit for sulfur dioxide
U-00001/00001/MW3/INCIN	40CFR 60-Cb.33b(b)(3)(i)	81, 82	Existing Large MWC's
U-00001/00001/MW3/INCIN	40CFR 60-Cb.33b(c)(1)(i)	83	- emission limit for hydrogen chloride
			Existing Large MWC's
			- emission limit for dioxin/furan not utilizing an electrostatic precipitator
U-00001/00001/MW3/INCIN	40CFR 60-Cb.33b(d)	84	Existing Large MWC's
			- emission limit for oxides of nitrogen
U-00001/00001/MW3/INCIN	40CFR 60-Cb.34b(a)	85	Existing Large MWC's
			- operating practices carbon monoxide limit
U-00001/00001/MW3/INCIN	40CFR 60-Cb.34b(b)	86, 87	Existing Large MWC's
			- operating practices MWC temperature requirements and unit load level
U-00001/00001/MW3/INCIN	40CFR 60-Cb.35b	88, 89, 90	Municipal waste combustor operator training and certification.
FACILITY	40CFR 60-Cb.36b	65	Emission guidelines for municipal waste combustor fugitive ash emissions.
U-00001/00001/MW3/INCIN	40CFR 60-Cb.38b	91	Compliance and performance testing.
FACILITY	40CFR 60-Cb.39b(a)	66	
U-110EF/-/OAG	40CFR 60-D.42	127	Standard for Particulate Matter
U-110EF/-/B5G	40CFR 60-Db.44b(a)(1)	112	Standard for Nitrogen Oxides Firing Natural Gas and Distillate Oil. (see narrative)
U-110EF/-/B5G	40CFR 60-Db.46b(e)(1)	113	Compliance and performance test methods and procedures for particulate matter and nitrogen oxides.
U-110EF/-/B5G	40CFR 60-Db.48b(b)	114	Emission Monitoring for Particulate Matter and Nitrogen Oxides.
U-110EF/-/B5G	40CFR 60-Db.48b(c)	115	Emission Monitoring for Particulate Matter and Nitrogen Oxides.
U-110EF/-/B5G	40CFR 60-Db.49b	116	Reporting and Recordkeeping Requirements.
U-110EF/-/B5G	40CFR 60-Db.49b(d)	117	Reporting and Recordkeeping Requirements.
U-110EF/-/B5G	40CFR 60-Db.49b(g)	118	Reporting and Recordkeeping Requirements.
U-110EF/-/B5G	40CFR 60-Db.49b(h)	119	Reporting and Recordkeeping

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FACILITY	40CFR 60-IIII	67	Requirements. Standards of Performance for Stationary Compression Ignition Internal Combustion Engines
FACILITY	40CFR 63- DDDDD.7490 (a)	68	ICI Boiler Major Source NESHAP - Affected Source
U-110EF/-/B5G	40CFR 63- DDDDD.7515 (d)	120	ICI Boiler Major Source NESHAP - Boiler Tune-ups
U-110EF/-/B5G	40CFR 63- DDDDD.7540 (a)	121	ICI Boiler Major Source NESHAP - Continuous Compliance
U-110EF/-/B5G	40CFR 63- DDDDD.7545 (c)	122	ICI Boiler Major Source NESHAP - New Source Notification
FACILITY	40CFR 63- DDDDD.7550 (b)	69	ICI Boiler Major Source NESHAP - Reporting
FACILITY	40CFR 63-ZZZZ	70	Requirements Reciprocating Internal Combustion Engine (RICE) NESHAP
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	6NYCRR 200.6	1, 21	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10, 22, 23, 24	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	170, 171	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	25, 26, 27, 28, 29, 30, 71, 72	Title V Permits and the Associated Permit Conditions
U-110EF	6NYCRR 201-6	92, 93, 94, 95	Title V Permits and the Associated Permit Conditions
U-110EF/-/ALT	6NYCRR 201-6	96, 97, 98, 99	Title V Permits and the Associated Permit Conditions
U-110EF/-/B5G	6NYCRR 201-6	101, 102, 103, 104	Title V Permits and the Associated Permit Conditions
U-110EF/-/OAG	6NYCRR 201-6	123, 124, 125	Title V Permits and the Associated Permit Conditions



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U- 110EF/00003/OIL/COMBU	6NYCRR 201-6	134	Title V Permits and the Associated Permit Conditions
U- 110EF/R1B01/GAS/COMBU	6NYCRR 201-6	136	Title V Permits and the Associated Permit Conditions
U- 110EF/R1B01/OIL/COMBU	6NYCRR 201-6	143	Title V Permits and the Associated Permit Conditions
U- 110EF/R1B02/ALT/COMBU	6NYCRR 201-6	146	Title V Permits and the Associated Permit Conditions
U- 110EF/R1B02/GAS/COMBU	6NYCRR 201-6	160	Title V Permits and the Associated Permit Conditions
U- 110EF/R1B02/OIL/COMBU	6NYCRR 201-6	166	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling and Measurement
FACILITY	6NYCRR 201- 6.4 (c) (3) (ii)	5	Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	31	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f) (6)	17	Off Permit Changes
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	32	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 212	33	General Process Emission Sources
U- 110EF/R1B02/ALT/COMBU	6NYCRR 212	147	General Process Emission Sources
U- 110EF/R1B02/ALT/PARTI	6NYCRR 212	154, 155, 156	General Process Emission Sources
U-110EF/-/ALT/PARTI	6NYCRR 212.4	100	General Process Emission Sources - emissions from new sources and/or modifications
U- 110EF/R1B02/ALT/PARTI	6NYCRR 212.4	157	General Process Emission Sources - emissions from new



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FACILITY	6NYCRR 212.4 (b)	34	sources and/or modifications
U-110EF/R1B02/ALT/COMBU	6NYCRR 212.4 (b)	148, 149, 150, 151	New processes
U-110EF/R1B02/ALT/PARTI	6NYCRR 212.4 (b)	158, 159	New processes
U-110EF/R1B02/ALT	6NYCRR 212.6 (a)	145	General Process Emission Sources - opacity of emissions limited
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
U-00001/00001/MW3/INCLIN	6NYCRR 219-7.2	193, 194	Compliance with mercury emission limitations
FACILITY	6NYCRR 225-1.2 (b)	35	Sulfur-in-Fuel Limitations
FACILITY	6NYCRR 225-1.2 (h)	36	Sulfur-in-Fuel Limitations
U-110EF/-/OAG	6NYCRR 227-1.3	126	Smoke Emission Limitations.
U-110EF/-/B5G	6NYCRR 227-1.3 (a)	105	Smoke Emission Limitations.
U-110EF/00003/GAS/COMBU	6NYCRR 227-1.7	129	General Emission Data.
U-110EF/00003/OIL/COMBU	6NYCRR 227-1.7	135	General Emission Data.
U-110EF/R1B01/GAS/PARTI	6NYCRR 227-1.7	138	General Emission Data.
U-110EF/R1B01/OIL/PARTI	6NYCRR 227-1.7	144	General Emission Data.
U-110EF/R1B02/GAS/PARTI	6NYCRR 227-1.7	163	General Emission Data.
U-110EF/R1B02/OIL/PARTI	6NYCRR 227-1.7	168	General Emission Data.
U-110EF/00003/OAG/COMBU	6NYCRR 227-2.4	130, 131	Control requirements.
U-110EF/R1B01/GAS/COMBU	6NYCRR 227-2.4	137	Control requirements.
U-110EF/R1B01/OAG/COMBU	6NYCRR 227-2.4	140	Control requirements.
U-110EF/R1B02/ALT/COMBU	6NYCRR 227-2.4	152, 153	Control requirements.
U-110EF/R1B02/GAS/COMBU	6NYCRR 227-2.4	161, 162	Control requirements.
U-110EF/R1B02/OIL/COMBU	6NYCRR 227-2.4	167	Control requirements.
U-110EF/-/B5G	6NYCRR 227-2.4 (a)	106	Very large boilers.
U-110EF/00003	6NYCRR 227-2.5 (c)	128	Alternative RACT option.
U-110EF/R1B01/OAG	6NYCRR 227-2.6 (a) (1)	139	Emission source monitoring procedure for very large boilers.
U-110EF/-/B5G	6NYCRR 231-8.7	107, 108, 109, 110	Best available control technology (BACT)
FACILITY	6NYCRR 243-1	37	CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (a)	38	General Provisions Permit Requirements - CAIR NOx Ozone Season Trading Program

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FACILITY	6NYCRR 243-1.6 (b)	39	Monitoring Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (c)	40	NOx Ozone Season Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (d)	41	Excess Emission Requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-1.6 (e)	42	Recordkeeping and reporting requirements - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-2	43	CAIR Designated Representative for CAIR NOx Ozone Season Sources
FACILITY	6NYCRR 243-2.1	44	Authorization and responsibilities - CAIR Designated Representative
FACILITY	6NYCRR 243-2.4	45	Certificate of representation - CAIR Designated Representative
FACILITY	6NYCRR 243-8	46	Monitoring and reporting - CAIR NOx Ozone Season Trading Program
FACILITY	6NYCRR 243-8.1	47, 48	General Requirements - Monitoring and Reporting
FACILITY	6NYCRR 243-8.3	49	Out of control periods - Monitoring and Reporting
FACILITY	6NYCRR 243-8.5 (d)	50	Quarterly reports re: recordkeeping and reporting - Monitoring and Reporting
FACILITY	6NYCRR 243-8.5 (e)	51	Compliance certification re: recordkeeping and reporting - Monitoring and Reporting
FACILITY	6NYCRR 617.11 (d)	172	Decision-making and findings requirements
FACILITY	6NYCRR 617.11 (d) (5)	173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192	Decision-making and findings requirements

Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

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This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, 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.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial 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.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.



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6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (5)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.4 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.



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6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENdAr year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

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.

40 CFR Part 68

This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, COVANTA NIAGARA LP has been determined to be subject to the following regulations:

40 CFR 52.21 (i) (3)

The applicant requires such a permit if they are a major stationary source or major modification that would be constructed in an area designated as attainment or unclassifiable.

40 CFR 52.21 (j) (2)

BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the special permit conditions, separately by the permit reviewer.

40 CFR 60.33b (a) (1) (i)

This section sets forth the emission limit for particulate matter contained in the gases discharged to the



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atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. The emission limit for particulate matter is 25 milligrams per dry standard cubic meter, corrected to 7 percent oxygen.

40 CFR 60.33b (a) (1) (iii)

This section sets forth the emission limit for opacity exhibited by the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. The emission limit for opacity is 10 percent (6 minute average).

40 CFR 60.33b (a) (2) (i)

This section sets forth the emission limit for cadmium contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. The emission limit for cadmium is 35 micrograms per dry standard cubic meter, corrected to 7 percent oxygen.

40 CFR 60.33b (a) (3)

This section sets forth the emission limit for mercury contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. The emission limit for mercury is 50 micrograms per dry standard cubic meter or 15 percent of the potential mercury emission concentration (an 85 - percent reduction by weight), corrected to 7 percent oxygen, whichever is less stringent.

40 CFR 60.33b (a) (4)

This section sets forth the emission limit for lead contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. The emission limit for lead is 400 micrograms per dry standard cubic meter, corrected to 7 percent oxygen.

40 CFR 60.33b (b) (3) (i)

This section sets forth the emission limit for sulfur dioxide contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. The emission limit for sulfur dioxide is 29 parts per million by volume or 25 percent of the potential sulfur dioxide emission concentration (75 - percent reduction by weight or volume), corrected to 7 percent oxygen (dry basis), whichever is less stringent. Compliance with this emission limit is based on a 24 - hour daily geometric mean.

40 CFR 60.33b (b) (3) (ii)

This section sets forth the emission limit for hydrogen chloride contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. The emission limit for hydrogen chloride is 29 parts per million by volume or 5 percent of the potential hydrogen chloride emission concentration (95 - percent



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reduction by weight or volume), corrected to 7 percent oxygen (dry basis), whichever is less stringent.

40 CFR 60.33b (c) (1) (iii)

This section sets forth the emission limit for dioxins/furans contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb which does not employ an electrostatic precipitator-based emission control system. The emission limit for dioxins/furans is 30 nanograms per dry standard cubic meter (total mass), corrected to 7 percent oxygen

40 CFR 60.33b (d)

This section sets forth emission limits for nitrogen oxides, by municipal waste combustor technology, for nitrogen oxides contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. A limit of 205 parts per million (ppm) applies to mass burn waterwall combustors, 210 ppm to mass burn rotary waterwall, 250 ppm to refuse-derived fuel combustors, and 180 ppm to fluidized bed combustors, all corrected to 7 percent oxygen (dry basis).

40 CFR 60.34b (a)

This section sets forth emission limits for carbon monoxide, by municipal waste combustor technology, for carbon monoxide contained in the gases discharged to the atmosphere from a municipal waste combustor subject to the requirements of the Emission Guidelines, 40 CFR 60, Subpart Cb. Limits are established as follows: 100 parts per million by volume (ppmv) for mass burn waterwall, mass burn refractory, mass burn rotary refractory, and fluidized-bed MWCs; 250 ppmv for mass burn rotary waterwall MWCs; 50 ppmv for modular starved - air and excess air MWCs; 150 ppmv mixed fuel-fired pulverized coal/refuse derived fuel (RDF) MWCs; 200 ppmv for spreader stoker mixed fuel-fired pulverized coal/RDF and RDF stoker MWCs, all corrected to 7 percent oxygen (dry basis).

40 CFR 60.34b (b)

This section sets forth municipal waste combustor operating practices which include maximum load level and temperature requirements. The operating range for the combustor must be no more than 110 percent of the maximum load level demonstrated during the most recent performance test demonstrating compliance with the applicable dioxin/furan limit. The temperature at the inlet of the particulate matter control device must be no more than 17degrees C (30.6 F) above the maximum demonstrated particulate matter control device temperature measured during the most recent dioxin/furan performance test demonstrating compliance with the applicable dioxin/furan limit.

40 CFR 60.35b

This section requires that the applicant develop and update on a yearly basis a site-specific operating manual that must, at a minimum, address the elements of municipal waste combustor unit operation specified in 40 CFR 60.54b of Subpart Eb.

In addition, a training program is required to review the operating manual with each person who has responsibilities affecting the operation of a municipal waste combustor including, but not



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limited to, chief facility operators, shift supervisors, control room operators, ash handlers, maintenance personnel, and crane/load handlers.

This section also requires that each chief facility operator and shift supervisor obtain and maintain a current provisional operator certification from either the American Society of Mechanical Engineers (QRO-1-1994) or from another certification program acceptable to the Department.

40 CFR 60.36b

This section sets forth the emission limit for municipal waste combustor fugitive ash emissions. It requires that discharge to the atmosphere of visible emissions of combustion ash from the ash conveying system (including conveyor transfer points) may not exceed 5 percent of the observation period (i.e. 9 minutes per 3-hour period), as determined by EPA Reference Method 22 observations. This emission limit does not cover visible emissions discharged inside buildings or enclosures of ash conveying systems; however, it does cover visible emissions discharged to the atmosphere from buildings or enclosures of ash conveying systems. This emission limit does not apply during maintenance and repair of ash conveying systems.

40 CFR 60.38b

This section sets forth compliance and performance testing requirements for municipal waste combustors.

40 CFR 60.39b (a)

This section requires that the applicant meet the municipal waste combustor reporting and recordkeeping provisions listed in 40 CFR 60.59b of Subpart Eb, as applicable.

40 CFR 60.42

This regulation requires that the opacity from the emission source not exceed 20 percent opacity except for one six minute period per hour not to exceed 27 percent opacity. Further, the facility shall not emit greater than 0.10 lb/mmBtu of particulate matter while firing fossil fuel or fossil fuel and wood residue

40 CFR 60.44b (a) (1)

These standards apply to all boilers firing natural gas and/or distillate oil except as provided in 40 CFR 60.44b(a)(4) Duct Burners Used in a Combined Cycle System.

40 CFR 60.46b (e) (1)

This standard requires that for the initial compliance test, nitrogen oxides from the subject steam generating unit are monitored for 30 successive steam generating unit operating days and the 30-day average emission rate is used to determine compliance with the nitrogen oxides emission standards under §60.44b. The 30-day average emission rate is calculated as the average of all hourly emissions data recorded by the monitoring system during the 30-day test period.



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40 CFR 60.48b (b)

This regulation requires the owner or operator of the facility to install and operate a continuous emissions monitor to monitor emissions of oxides of nitrogen from the facility.

40 CFR 60.48b (c)

This regulation requires that the continuous monitoring system (CMS) and data recorder for nitrogen oxides be operated during all periods of operation of the affected facility except for CMS breakdowns and repairs. Data must be recorded during calibration checks, and zero and span adjustments.

40 CFR 60.49b

This rule specifies the reporting and recordkeeping requirements for affected steam generating units.

40 CFR 60.49b (d)

This subdivision requires reporting and recordkeeping for affected steam generating units - annual fuel capacity factors.

40 CFR 60.49b (g)

This subdivision requires reporting and recordkeeping for affected steam generating units - specific oxides of nitrogen requirements.

40 CFR 60.49b (h)

This subdivision specifies that the facility must submit excess emission reports.

40 CFR 63.7490 (a)

This condition states what the affected source is for the industrial, commercial, and institutional boiler major source MACT.

40 CFR 63.7515 (d)

This regulation requires facilities with industrial, commercial or institutional boilers to tune-up their boilers on an annual or biennial basis.

40 CFR 63.7540 (a)

This condition states how to demonstrate continuous compliance with emission limits, work practice standards, and operating limits.



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40 CFR 63.7545 (c)

This condition states when an initial notification must be submitted for new and reconstructed sources

40 CFR 63.7550 (b)

This condition states when reports must be submitted.

40 CFR Part 60, Subpart A

This regulation contains the 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

40 CFR Part 60, Subpart IIII

Facilities that have stationary compression ignition internal combustion engines must comply with applicable portions of 40 CFR 60 Subpart IIII.

40 CFR Part 63, Subpart ZZZZ

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

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide any information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.



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6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement applies to all facilities subject to Title V requirements and specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (d) (4)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (f) (6)

This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 211.1

This regulation requires that 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.

6 NYCRR 212.4

This rule requires compliance with the degree of control specified in Tables 2, 3 and 4 for new (after July 1, 1973) process emission sources.



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6 NYCRR 212.4 (b)

212.4(b) establishes a limit on gas and liquid particulates.

6 NYCRR 212.6 (a)

This rule specifies an opacity limitation of less than 20% for any six consecutive minute period for all process emission sources.

6 NYCRR 219-7.2

Section 219-7.2 sets forth annual compliance requirements including stack testing procedures to demonstrate compliance with a mercury emission limitation of 28 micrograms/dscm (corrected to 7% oxygen) or 85% removal, whichever is less stringent, for each municipal waste combustor unit.

6 NYCRR 225-1.2 (b)

Sulfur-in-fuel limitations for oil or solid fuel fired facilities effective through June 30, 2014.

6 NYCRR 225-1.2 (h)

Sulfur-in-fuel limitation for the firing of distillate oil on or after July 1, 2016.

6 NYCRR 227-1.3

This regulation requires a limitation and compliance monitoring for opacity from a stationary combustion installation.

6 NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6 NYCRR 227-1.7

This regulation requires that any person who owns or operates a stationary combustion installation subject to this Subpart shall provide emissions data when so requested by the commissioner.

6 NYCRR 227-2.4

This section specifies control requirements for boilers, turbines, and reciprocating engines.

6 NYCRR 227-2.4 (a)

control requirements for very large boilers.



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6 NYCRR 227-2.5 (c)

This provision allows the owner or operator to demonstrate that the applicable presumptive RACT emission limit in section 227-2.4 of this Subpart is not economically or technically feasible. Based on this determination the Department is allowed to set a higher emission source specific emission limit.

6 NYCRR 227-2.6 (a) (1)

The owner/operator of any very large boiler must verify NO_x emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b) or with an equivalent monitoring system approved by the Department..

6 NYCRR 231-8.7

This section outlines what BACT is and how it is determined.

6 NYCRR 243-1.6 (a)

This condition requires the facility to acknowledge that they are subject to this CAIR regulation and provide owner and contact information. It also requires them to update this information as it changes or provide supplemental information at the Departments request.

6 NYCRR 243-1.6 (b)

This condition obligates the owners and operators of the facility to comply with the monitoring and reporting requirements of the CAIR regulations.

6 NYCRR 243-1.6 (c)

This citation explains the general provisions of the Clean Air Interstate Rule (CAIR) NO_x Ozone Season Trading Program. This ozone season NO_x cap and trade program runs from May 1 through September 30 each year, starting in 2009. Each source shall hold a tonnage equivalent in CAIR NO_x Ozone Season allowances that is not less than the total tons of NO_x emissions for the ozone season.

6 NYCRR 243-1.6 (d)

This citation for the Clean Air Interstate Rule (CAIR) NO_x Ozone Season Trading Program explains some of the penalties that can be imposed on a CAIR NO_x Ozone Season source that does not surrender enough CAIR NO_x Ozone Season allowances to cover their NO_x Ozone Season emissions.



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6 NYCRR 243-1.6 (e)

This citation for the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program requires that all reports be submitted as required by this program, and that copies of all records and submissions made for this program be kept on site for at least five years.

6 NYCRR 243-2.1

This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains that a CAIR NOx Ozone Season designated representative must be selected to submit, sign and certify each submission on behalf of the source for this program.

6 NYCRR 243-2.4

This condition describes the required elements of the "Certificate of Representation" for the CAIR program and the certifying language required with submissions to the Department.

6 NYCRR 243-8.1

This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains that CAIR NOx Ozone Season Trading Program sources must install, certify and operate monitoring systems that meet the monitoring, recordkeeping, and reporting requirements in Subpart 6 NYCRR 243-8 and in Subpart H of 40 CFR Part 75.

6 NYCRR 243-8.3

This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains what to do when an emission monitoring system fails quality assurance, quality control, or data validation requirements.

6 NYCRR 243-8.5 (d)

This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains what requirements the quarterly reports must meet.

6 NYCRR 243-8.5 (e)

This citation of the Clean Air Interstate Rule (CAIR) NOx Ozone Season Trading Program explains the compliance certification requirements the source must follow for each quarterly report.

6 NYCRR 617.11 (d)

617.11 DECISION-MAKING AND FINDINGS REQUIREMENTS.

(a) Prior to the lead agency's decision on an action that has been the subject of a final EIS, it shall afford agencies and the public a reasonable time period (not less than 10 calendar days) in which to consider the final EIS before issuing its written findings statement. If a project modification or change of circumstance related to the project requires a lead or involved agency to substantively modify its decision, findings may be amended and filed in accordance with subdivision 617.12(b) of this Part.



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(b) In the case of an action involving an applicant, the lead agency's filing of a written findings statement and decision on whether or not to fund or approve an action must be made within 30 calendar days after the filing of the final EIS.

(c) No involved agency may make a final decision to undertake, fund, approve or disapprove an action that has been the subject of a final EIS, until the time period provided in subdivision 617.11(a) of this section has passed and the agency has made a written findings statement. Findings and a decision may be made simultaneously.

(d) Findings must:

- (1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS;
- (2) weigh and balance relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency's decision;
- (4) certify that the requirements of this Part have been met;
- (5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

(e) No state agency may make a final decision on an action that has been the subject of a final EIS and is located in the coastal area until the agency has made a written finding that the action is consistent with applicable policies set forth in 19 NYCRR 600.5. When the Secretary of State has approved a local government waterfront revitalization program, no state agency may make a final decision on an action, that is likely to affect the achievement of the policies and purposes of such program, until the agency has made a written finding that the action is consistent to the maximum extent practicable with that local waterfront revitalization program.

6 NYCRR 617.11 (d) (5)

617.11 DECISION-MAKING AND FINDINGS REQUIREMENTS.

(a) Prior to the lead agency's decision on an action that has been the subject of a final EIS, it shall afford agencies and the public a reasonable time period (not less than 10 calendar days) in which to consider the final EIS before issuing its written findings statement. If a project modification or change of circumstance related to the project requires a lead or involved agency to substantively modify its decision, findings may be amended and filed in accordance with subdivision 617.12(b) of this Part.

(b) In the case of an action involving an applicant, the lead agency's filing of a written findings statement and decision on whether or not to fund or approve an action must be made within 30 calendar days after the filing of the final EIS.

(c) No involved agency may make a final decision to undertake, fund, approve or disapprove an action that has been the subject of a final EIS, until the time period provided in subdivision 617.11(a) of this section has passed and the agency has made a written findings statement. Findings and a decision may be made simultaneously.

(d) Findings must:

- (1) consider the relevant environmental impacts, facts and conclusions disclosed in the final EIS;
- (2) weigh and balance relevant environmental impacts with social, economic and other considerations;
- (3) provide a rationale for the agency's decision;
- (4) certify that the requirements of this Part have been met;



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(5) certify that consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable.

(e) No state agency may make a final decision on an action that has been the subject of a final EIS and is located in the coastal area until the agency has made a written finding that the action is consistent with applicable policies set forth in 19 NYCRR 600.5. When the Secretary of State has approved a local government waterfront revitalization program, no state agency may make a final decision on an action, that is likely to affect the achievement of the policies and purposes of such program, until the agency has made a written finding that the action is consistent to the maximum extent practicable with that local waterfront revitalization program.

6 NYCRR Part 212

This regulation governs emissions from general process emission sources.

6 NYCRR Subpart 243-1

This subpart explains the general provisions of the Clean Air Interstate Rule (CAIR) Nitrogen Oxide (NO_x) Ozone Season Trading Program. The control period for this annual NO_x cap and trade program runs from May 1 to September 30 each year, starting in 2009. Each source shall hold a tonnage equivalent in CAIR NO_x allowances that is not less than the total tons of NO_x emissions for the control period.

6 NYCRR Subpart 243-2

Each Clean Air Interstate Rule (CAIR) NO_x source shall have one CAIR designated representative and may have one alternate representative. Each submission for the CAIR NO_x Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative or the alternate representative.

6 NYCRR Subpart 243-8

The owners, operators, and Clean Air Interstate Rule (CAIR) designated representative of a CAIR NO_x unit shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in 40 CFR Part 75, Subparts F and G. A certified NO_x emission monitoring system must be used to measure NO_x emissions. NO_x emission reports must be certified and submitted quarterly.

Compliance Certification

Summary of monitoring activities at COVANTA NIAGARA LP:

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Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

U-110EF/00003/OAG/COMBU	132	intermittent emission testing
U-110EF/00003/OAG/COMBU	133	intermittent emission testing
U-110EF/R1B01/OAG/COMBU	141	intermittent emission testing
U-110EF/R1B01/OAG/COMBU	142	continuous emission monitoring (cem)
U-110EF/R1B02/OAG/COMBU	164	continuous emission monitoring (cem)
U-110EF/R1B02/OAG/COMBU	165	intermittent emission testing
FACILITY	52	intermittent emission testing
FACILITY	53	continuous emission monitoring (cem)
FACILITY	54	intermittent emission testing
FACILITY	55	intermittent emission testing
FACILITY	56	continuous emission monitoring (cem)
FACILITY	57	intermittent emission testing
FACILITY	58	intermittent emission testing
FACILITY	59	intermittent emission testing
FACILITY	60	intermittent emission testing
FACILITY	61	intermittent emission testing
FACILITY	62	intermittent emission testing
FACILITY	63	intermittent emission testing
FACILITY	64	continuous emission monitoring (cem)
U-00001/00001/MW3/INCIN	73	intermittent emission testing
U-00001/00001/MW3/INCIN	74	monitoring of process or control device parameters as surrogate
U-00001/00001/MW3/INCIN	75	intermittent emission testing
U-00001/00001/MW3/INCIN	76	intermittent emission testing
U-00001/00001/MW3/INCIN	77	intermittent emission testing
U-00001/00001/MW3/INCIN	78	intermittent emission testing
U-00001/00001/MW3/INCIN	79	continuous emission monitoring (cem)
U-00001/00001/MW3/INCIN	80	continuous emission monitoring (cem)
U-00001/00001/MW3/INCIN	81	intermittent emission testing
U-00001/00001/MW3/INCIN	82	intermittent emission testing
U-00001/00001/MW3/INCIN	83	intermittent emission testing
U-00001/00001/MW3/INCIN	84	continuous emission monitoring (cem)
U-00001/00001/MW3/INCIN	85	continuous emission monitoring (cem)
U-00001/00001/MW3/INCIN	86	monitoring of process or control device parameters as surrogate
U-00001/00001/MW3/INCIN	87	monitoring of process or control device parameters as surrogate
U-00001/00001/MW3/INCIN	90	record keeping/maintenance procedures
FACILITY	65	monitoring of process or control device parameters as surrogate
FACILITY	66	record keeping/maintenance procedures
U-110EF/-/OAG	127	continuous emission monitoring (cem)
U-110EF/-/B5G	112	record keeping/maintenance procedures
U-110EF/-/B5G	114	continuous emission monitoring (cem)
U-110EF/-/B5G	115	record keeping/maintenance procedures
U-110EF/-/B5G	117	record keeping/maintenance procedures
U-110EF/-/B5G	118	record keeping/maintenance procedures
U-110EF/-/B5G	119	record keeping/maintenance procedures
FACILITY	67	record keeping/maintenance procedures
U-110EF/-/B5G	120	record keeping/maintenance procedures
U-110EF/-/B5G	121	record keeping/maintenance procedures
FACILITY	69	record keeping/maintenance procedures
FACILITY	70	record keeping/maintenance procedures
FACILITY	21	record keeping/maintenance procedures
FACILITY	22	record keeping/maintenance procedures
FACILITY	23	record keeping/maintenance procedures
FACILITY	24	record keeping/maintenance procedures
FACILITY	26	intermittent emission testing



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FACILITY	27	intermittent emission testing
FACILITY	28	record keeping/maintenance procedures
FACILITY	29	intermittent emission testing
FACILITY	30	continuous emission monitoring (cem)
U-110EF	92	record keeping/maintenance procedures
U-110EF	93	record keeping/maintenance procedures
U-110EF	94	record keeping/maintenance procedures
U-110EF	95	record keeping/maintenance procedures
U-110EF/-/ALT	96	record keeping/maintenance procedures
U-110EF/-/ALT	97	record keeping/maintenance procedures
U-110EF/-/ALT	98	record keeping/maintenance procedures
U-110EF/-/ALT	99	record keeping/maintenance procedures
U-110EF/-/B5G	101	intermittent emission testing
U-110EF/-/B5G	102	intermittent emission testing
U-110EF/-/B5G	103	intermittent emission testing
U-110EF/-/B5G	104	continuous emission monitoring (cem)
U-110EF/-/OAG	123	record keeping/maintenance procedures
U-110EF/-/OAG	124	record keeping/maintenance procedures
U-110EF/-/OAG	125	record keeping/maintenance procedures
U-110EF/00003/OIL/COMBU	134	record keeping/maintenance procedures
U-110EF/R1B01/GAS/COMBU	136	record keeping/maintenance procedures
U-110EF/R1B01/OIL/COMBU	143	record keeping/maintenance procedures
U-110EF/R1B02/ALT/COMBU	146	continuous emission monitoring (cem)
U-110EF/R1B02/GAS/COMBU	160	record keeping/maintenance procedures
U-110EF/R1B02/OIL/COMBU	166	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	33	record keeping/maintenance procedures
U-110EF/R1B02/ALT/COMBU	147	intermittent emission testing
U-110EF/R1B02/ALT/PARTI	154	intermittent emission testing
U-110EF/R1B02/ALT/PARTI	155	intermittent emission testing
U-110EF/R1B02/ALT/PARTI	156	intermittent emission testing
U-110EF/-/ALT/PARTI	100	intermittent emission testing
U-110EF/R1B02/ALT/PARTI	157	intermittent emission testing
FACILITY	34	record keeping/maintenance procedures
U-110EF/R1B02/ALT/COMBU	148	intermittent emission testing
U-110EF/R1B02/ALT/COMBU	149	intermittent emission testing
U-110EF/R1B02/ALT/COMBU	150	intermittent emission testing
U-110EF/R1B02/ALT/COMBU	151	continuous emission monitoring (cem)
U-110EF/R1B02/ALT/PARTI	158	intermittent emission testing
U-110EF/R1B02/ALT/PARTI	159	intermittent emission testing
U-110EF/R1B02/ALT	145	continuous emission monitoring (cem)
U-00001/00001/MW3/INCIN	193	intermittent emission testing
U-00001/00001/MW3/INCIN	194	intermittent emission testing
FACILITY	35	continuous emission monitoring (cem)
FACILITY	36	work practice involving specific operations
U-110EF/-/OAG	126	continuous emission monitoring (cem)
U-110EF/-/B5G	105	monitoring of process or control device parameters as surrogate
U-110EF/00003/GAS/COMBU	129	intermittent emission testing
U-110EF/00003/OIL/COMBU	135	intermittent emission testing
U-110EF/R1B01/GAS/PARTI	138	intermittent emission testing
U-110EF/R1B01/OIL/PARTI	144	intermittent emission testing
U-110EF/R1B02/GAS/PARTI	163	intermittent emission testing
U-110EF/R1B02/OIL/PARTI	168	intermittent emission testing
U-110EF/00003/OAG/COMBU	130	record keeping/maintenance procedures
U-110EF/00003/OAG/COMBU	131	intermittent emission testing
U-110EF/R1B01/GAS/COMBU	137	continuous emission monitoring (cem)
U-110EF/R1B01/OAG/COMBU	140	continuous emission monitoring (cem)
U-110EF/R1B02/ALT/COMBU	152	continuous emission monitoring (cem)
U-110EF/R1B02/ALT/COMBU	153	continuous emission monitoring (cem)
U-110EF/R1B02/GAS/COMBU	161	continuous emission monitoring (cem)
U-110EF/R1B02/GAS/COMBU	162	continuous emission monitoring (cem)



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U-110EF/R1B02/OIL/COMBU	167	continuous emission monitoring (cem)
U-110EF/-/B5G	106	continuous emission monitoring (cem)
U-110EF/00003	128	record keeping/maintenance procedures
U-110EF/R1B01/OAG	139	record keeping/maintenance procedures
U-110EF/-/B5G	107	monitoring of process or control device parameters as surrogate
U-110EF/-/B5G	108	record keeping/maintenance procedures
U-110EF/-/B5G	109	record keeping/maintenance procedures
U-110EF/-/B5G	110	continuous emission monitoring (cem)
FACILITY	173	record keeping/maintenance procedures
FACILITY	174	intermittent emission testing
FACILITY	175	intermittent emission testing
FACILITY	176	intermittent emission testing
FACILITY	177	intermittent emission testing
FACILITY	178	continuous emission monitoring (cem)
FACILITY	179	intermittent emission testing
FACILITY	180	intermittent emission testing
FACILITY	181	intermittent emission testing
FACILITY	182	intermittent emission testing
FACILITY	183	intermittent emission testing
FACILITY	184	record keeping/maintenance procedures
FACILITY	185	intermittent emission testing
FACILITY	186	record keeping/maintenance procedures
FACILITY	187	intermittent emission testing
FACILITY	188	record keeping/maintenance procedures
FACILITY	189	intermittent emission testing
FACILITY	190	intermittent emission testing
FACILITY	191	intermittent emission testing
FACILITY	192	intermittent emission testing

Basis for Monitoring

Permit conditions for the Steam Expansion Project include the following requirements:

- (1) 6 NYCRR 231-8.7: Best Available Control Technology (BACT) plan for Greenhouse Gases;
- (2) 6 NYCRR Subpart 201-6: A requirement to utilize Continuous Emissions Monitoring for NOx and intermittent stack testing for Carbon Monoxide, PM-10 and PM-2.5 to confirm that these emissions are below the applicability thresholds for New Source Review;
- (3) 6 NYCRR 227-2.4(a): NOx RACT compliance under the current limit as well as under the new limit that will be in effect as of July 1, 2014;
- (4) 40 CFR 60 Subpart Db: Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and
- (5) 40 CFR 63 Subpart DDDDD: the "Boiler MACT".

Updates and revisions to the rest of the permit include the following:

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(1) The addition of a NO_x RACT plan under 6 NYCRR Subpart 227-2 addressing compliance of the existing boilers in Emission Unit U-110EF with the new NO_x limits that will be in effect as of July 1, 2014. Boiler B-110 has been leased from Occidental Chemical (OxyChem) for several years. This lease expires in May 2013 and after control of the boiler is returned to OxyChem Covanta Niagara will not be responsible for ensuring compliance with the new NO_x RACT limits. Boiler EFW-1 will comply with the new limit of 0.08 lb/MMBtu for a very large boiler combusting natural gas by installing a urea injection system on this boiler prior to the compliance date. Boiler EFW-2 will comply with the new limit of 0.08 lb/MMBtu for a very large boiler combusting natural gas using their existing urea injection system. Boiler EFW-2 will also comply with a limit of 0.25 lb/MMBtu while burning alternate fuel (primarily waste wood) using their existing urea injection system. The alternate fuel limit was established following a case-by-case RACT determination. Fuel oil combustion was not addressed in the RACT plan because fuel oil will no longer be burned in either EFW-1 or EFW-2;

(2) Removal of 6 NYCRR Part 204, the previous NO_x Budget regulatory program, which has been repealed;

(3) Addition of 6 NYCRR Part 243, CAIR NO_x Ozone Season Trading Program, which replaces Part 204;

(4) Addition of 40 CFR 60 Subpart IIII – Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, including the requirement to submit an applicability and compliance plan to the Department no later than six months after the date of permit issuance to document the requirements for each engine subject to the rule;

(5) Addition of 40 CFR 63 Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, including the requirement to submit an applicability and compliance plan to the Department no later than six months after the date of permit issuance to document the requirements for each engine subject to the rule;

(6) Addition of a condition under 6 NYCRR Part 212, General Process Emission Sources, which addresses limitations on the quantities of nonhazardous industrial waste streams approved by NYSDEC on a case-by-case basis that can be combusted in the two DBA boilers in addition to municipal solid waste;

(7) Clarifications regarding the definition of a valid data block for CEMS data blocks greater than one hour; and

(8) Removal of Emission Unit USHRED that consisted of an exhaust system for a diesel engine powered drum auger/shredder. The old Komar shredder with the diesel



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engine was shut down around May 2008 when the bearing failed; the new Komar shredder was started up with an electric engine in November 2008, thus negating the need for a separate diesel exhaust system.