Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 3-5518-00214/00019
Effective Date: 08/02/2010 Expiration Date: 08/01/2015

Permit Issued To: AMERICAN SUGAR REFINING INC
1 FEDERAL ST
YONKERS, NY 10705-1079

Contact: LAEL PAULSON
AMERICAN SUGAR REFINING INC
1 FEDERAL ST
YONKERS, NY 10705
(914) 709-8238

Facility: AMERICAN SUGAR REFINING INC
1 FEDERAL ST
YONKERS, NY 10705

Contact: LAEL PAULSON
AMERICAN SUGAR REFINING INC
1 FEDERAL ST
YONKERS, NY 10705
(914) 709-8238

Description:
The primary function of the facility is to refine cane sugar for consumer use in the form of brown, white and confectionary sugar. The raw sugar goes through a series of operations including clarification, evaporation and crystallization in order to produce the final product. Small quantities of particulates are emitted in the various processes of crushing, evaporation and crystallization.

The facility did not construct the requested emission units in REN 0 MOD 1, therefore there is no EU: E-00003. The existing facility has a new electric generator.
By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator:       KENNETH R GRZYB
                           NYSDEC REGION 3
                           21 S PUTT CORNERS RD
                           NEW PALTZ, NY 12561

Authorized Signature: _________________________________    Date: ___ / ___ / _____
Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee’s Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

DEC GENERAL CONDITIONS

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

Facility Level
Submission of application for permit modification or renewal-REGION 3
HEADQUARTERS
DEC GENERAL CONDITIONS

***** General Provisions *****

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:
The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:
The permittee shall provide a person to accompany the Department’s representative during an inspection to the permit area when requested by the Department.

Item 1.3:
A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

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

Item 2.1:
Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

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

Item 3.1:
The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:
The permittee must submit a renewal application at least 180 days before expiration of permits for Title V Facility Permits, or at least 30 days before expiration of permits for State Facility Permits.

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted before the permit expires.
Condition 4: Permit modifications, suspensions or revocations by the Department
    Applicable State Requirement: 6 NYCRR 621.13

Item 4.1: 
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

**** Facility Level ****

Condition 5: Submission of application for permit modification or renewal-REGION 3 HEADQUARTERS
    Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1: 
Submission of applications for permit modification or renewal are to be submitted to:
    NYSDEC Regional Permit Administrator
    Region 3 Headquarters
    Division of Environmental Permits
    21 South Pult Corners Road
    New Paltz, NY 12561-1696
    (845) 256-3054
Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: AMERICAN SUGAR REFINING INC
1 FEDERAL ST
YONKERS, NY 10705-1079

Facility: AMERICAN SUGAR REFINING INC
1 FEDERAL ST
YONKERS, NY 10705

Authorized Activity By Standard Industrial Classification Code:
2062 - CANE SUGAR REFINING

Permit Effective Date: 08/02/2010
Permit Expiration Date: 08/01/2015
## LIST OF CONDITIONS

### FEDERALLY ENFORCEABLE CONDITIONS

#### Facility Level

1. 6 NYCRR 200.6: Acceptable Ambient Air Quality
2. 6 NYCRR 201-6.5 (a) (7): Fees
3. 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
4. 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
5. 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
6. 6 NYCRR 202-1.8: Prohibition of Reintroduction of Collected Contaminants to the air

#### Subpart 201-6:

7. 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
8. 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
9. 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
10. 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
11. 6 NYCRR 202-1.1: Required Emissions Tests
12. 6 NYCRR 211.3: Visible Emissions Limited
13. 40 CFR 82, Subpart F: Recycling and Emissions Reduction
14. 40 CFR 60.4, NSPS Subpart A: EPA Region 2 address.
15. 40 CFR 60.7(a), NSPS Subpart A: Modification Notification
16. 40 CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
17. 40 CFR 60.7(c), NSPS Subpart A: Compliance Certification
18. 40 CFR 60.7(d), NSPS Subpart A: Excess emissions report.
19. 40 CFR 60.7(e), NSPS Subpart A: Monitoring frequency waiver.
20. 40 CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
21. 40 CFR 60.7(g), NSPS Subpart A: Notification Similar to State or
Local Agency
43 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
44 40CFR 60.8(b), NSPS Subpart A: Performance Test Methods - Waiver
45 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
46 40CFR 60.8(f), NSPS Subpart A: Number of required tests.
47 40CFR 60.9, NSPS Subpart A: Availability of information.
48 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
49 40CFR 60.12, NSPS Subpart A: Circumvention.
50 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
51 40CFR 60.14, NSPS Subpart A: Modifications.
52 40CFR 60.15, NSPS Subpart A: Reconstruction.
53 40CFR 60.44b(a)(1), NSPS Subpart Db: Compliance Certification
54 40CFR 60.44b(a)(1), NSPS Subpart Db: Compliance Certification
55 40CFR 60.334(a), NSPS Subpart GG: Compliance Certification

Emission Unit Level
56 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
57 6 NYCRR Subpart 201-6: Process Definition By Emission Unit
58 6 NYCRR Subpart 201-7: Emission Unit Permissible Emissions

EU=E-00001
59 6 NYCRR 212.6 (a): Compliance Certification
60 6 NYCRR 212.6 (a): Compliance Certification

EU=E-00001,Proc=00A
61 6 NYCRR 212.9 (d): Particulate emission rate based on process weight

EU=E-00002
*62 6 NYCRR Subpart 201-7: Capping Monitoring Condition
63 6 NYCRR 227-2.4 (b) (1): Compliance Certification

EU=E-00002,Proc=C06
64 6 NYCRR 227-2.4 (e) (1) (i): Compliance Certification
65 6 NYCRR 227-2.4 (e) (1) (i): Compliance Certification

EU=E-00002,Proc=C07
66 6 NYCRR 227-2.4 (e) (2) (ii): Compliance Certification
67 6 NYCRR 227-2.4 (e) (2) (ii): Compliance Certification

EU=E-00002,Proc=C08
68 6 NYCRR 227-2.4 (e) (1) (j): Compliance Certification
69 6 NYCRR 227-2.4 (e) (1) (i): Compliance Certification

EU=E-00002,Proc=C09
70 6 NYCRR 227-2.4 (e) (2) (ii): Compliance Certification
71 6 NYCRR 227-2.4 (e) (2) (ii): Compliance Certification

EU=E-00002,Proc=C12
72 40CFR 60.44b(a)(1), NSPS Subpart Db: Standards for oxides of nitrogen.

EU=E-00002,Proc=C13
73 40CFR 60.44b(a)(1), NSPS Subpart Db: Standards for oxides of nitrogen.
EU=E-00002,Proc=C13,ES=00023
74 40CFR 60.42b(j), NSPS Subpart Db: Demonstration criteria for low sulfur oil.

EU=E-00002,Proc=C14
75 6 NYCRR 227-2.4 (e) (2) (i): Compliance Certification

EU=E-00002,Proc=C14,ES=00023
76 40CFR 60.42b(j), NSPS Subpart Db: Demonstration criteria for low sulfur oil.

EU=E-00002,Proc=C15
77 6 NYCRR 227-2.4 (e) (2) (ii): Compliance Certification

EU=E-00002,EP=00023
78 6 NYCRR 227-2.4 (e) (2): Compliance Certification
79 6 NYCRR 227-2.4 (e) (2): Compliance Certification
80 6 NYCRR 227-2.6 (c): Compliance Certification
81 6 NYCRR 227-2.6 (c): Compliance Certification

EU=E-00002,EP=00023,Proc=C06
82 40CFR 60.333, NSPS Subpart GG: Compliance Certification

EU=E-00002,EP=00023,Proc=C06,ES=00023
83 40CFR 60.332, NSPS Subpart GG: Compliance Certification
84 40CFR 60.333, NSPS Subpart GG: Compliance Certification

EU=E-00002,EP=00023,Proc=C08
85 40CFR 60.332, NSPS Subpart GG: Compliance Certification
86 40CFR 60.333, NSPS Subpart GG: Compliance Certification

EU=E-00002,EP=0021C
87 6 NYCRR 227-2.6 (c): Compliance Certification

EU=E-00002,EP=0023A,Proc=C08
88 40CFR 60.332, NSPS Subpart GG: Compliance Certification
89 40CFR 60.333, NSPS Subpart GG: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level
90 ECL 19-0301: Contaminant List
91 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
92 6 NYCRR 211.2: Air pollution prohibited

NOTE: * preceding the condition number indicates capping.
FEDERALLY ENFORCEABLE CONDITIONS
**** Facility Level ****

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

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

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

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

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

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 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 201-6.3 (a) (4)
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Item D: Certification by a Responsible Official - 6 NYCRR 201-6.3 (d) (12)
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Item E: Requirement to Comply With All Conditions - 6 NYCRR 201-6.5 (a) (2)
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

Item F: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR 201-6.5 (a) (3)
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

Item G: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.5 (a) (5)
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain compliance with the conditions of this permit.

Item H: Property Rights - 6 NYCRR 201-6.5 (a) (6)
This permit does not convey any property rights of any sort or any exclusive privilege.
Item I: Severability - 6 NYCRR 201-6.5 (a) (9)

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

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

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

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

ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;

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

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

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

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

i. If additional applicable requirements under the Act become applicable where this permit's remaining term is
three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305
The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York.
(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item M: Federally Enforceable Requirements - 40 CFR 70.6 (b)
All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 200.6

Item 1.1:
Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: Fees
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 201-6.5 (a) (7)

Item 2.1:
The owner and/or operator of a stationary source shall pay fees to the Department consistent with the fee schedule authorized by ECL 72-0302.

Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 08/02/2010 and 08/01/2015

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

Item 3.1:
The following information must be included in any required compliance monitoring records and reports:

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

Any deviation from permit requirements must be clearly identified in all records and reports. Reports must be certified by a responsible official, consistent with Section 201-6.3 of this Part 201.

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

Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 201-6.5 (c) (2)

**Item 4.1:**
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

**Condition 5: Compliance Certification**

Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 201-6.5 (c) (3) (ii)

**Item 5.1:**
The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description: To meet the requirements of this facility permit with respect to reporting, the permittee must:

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

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

(1) For emissions of a hazardous air pollutant (as identified in an applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.

(2) For emissions of any regulated air pollutant, excluding those listed in paragraph (1) of this section, that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours.

(3) For all other deviations from permit requirements, the report shall be contained in the 6 month monitoring report required above.

(4) This permit may contain a more stringent reporting requirement than required by paragraphs (1), (2) or (3) above. If more stringent reporting requirements have been placed in this permit or exist in applicable requirements that apply to this facility, the more stringent reporting requirement shall apply.

If above paragraphs (1) or (2) are met, the source must notify the permitting authority by telephone during normal business hours at the Regional Office of jurisdiction for this permit, attention Regional Air Pollution Control Engineer (RAPCE) according to the timetable listed in paragraphs (1) and (2) of this section. For deviations and incidences that must be reported outside of normal business hours, on weekends, or holidays, the DEC Spill Hotline phone number at 1-800-457-7362 shall be used. A
written notice, certified by a responsible official consistent with 6 NYCRR Part 201-6.3(d)(12), must be submitted within 10 working days of an occurrence for deviations reported under (1) and (2). All deviations reported under paragraphs (1) and (2) of this section must also be identified in the 6 month monitoring report required above.

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

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

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

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

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).
Condition 6: Compliance Certification  
Effective between the dates of 08/02/2010 and 08/01/2015  
Applicable Federal Requirement: 6 NYCRR 202-2.1  

Item 6.1: The Compliance Certification activity will be performed for the Facility.  

Item 6.2: Compliance Certification shall include the following monitoring:  

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

Monitoring Frequency: ANNUALLY  
Reporting Requirements: ANNUALLY (CALENDAR)  
Reports due by April 15th for previous calendar year  

Condition 7: Recordkeeping requirements  
Effective between the dates of 08/02/2010 and 08/01/2015  
Applicable Federal Requirement: 6 NYCRR 202-2.5  

Item 7.1: The following records shall be maintained for at least five years:  

(1) a copy of each emission statement submitted to the department; and  
(2) records indicating how the information submitted in the emission statement was determined, including any calculations, data, measurements, and estimates used.  

(b) These records shall be made available at the facility to the representatives of the department upon request during normal business hours.  

Condition 8: Open Fires Prohibited at Industrial and Commercial Sites  
Effective between the dates of 08/02/2010 and 08/01/2015  
Applicable Federal Requirement: 6 NYCRR Part 215  

Item 8.1: No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.  

Condition 9: Open Fires - Prohibitions  
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR 215.2

Item 9.1:
Except as allowed by Title 6 NYCRR Section 215.3, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item 9.2
Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:
(a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
(b) Barbeque grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
(c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
(d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
(e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
(f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
(g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
(h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
(i) Prescribed burns performed according to Part 194 of this Title.
(j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.
(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.
(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

MANDATORY FEDERALLY ENFORCEABLE PERMIT CONDITIONS
SUBJECT TO ANNUAL CERTIFICATIONS ONLY IF APPLICABLE
The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 10: Maintenance of Equipment
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR 200.7

Item 10.1:
Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 11: Recycling and Salvage
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR 201-1.7

Item 11.1:
Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of the ECL.

Condition 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR 201-1.8

Item 12.1:
No person shall unnecessarily remove, handle or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Condition 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR 201-3.2 (a)

Item 13.1:
The owner and/or operator of an emission source or unit that is eligible to be exempt may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of
determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

**Condition 14: Compliance Certification**
**Effective between the dates of 08/02/2010 and 08/01/2015**

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

**Item 14.1:**
The Compliance Certification activity will be performed for the Facility.

**Item 14.2:**
Compliance Certification shall include the following monitoring:

- **Monitoring Type:** RECORD KEEPING/MAINTENANCE PROCEDURES
- **Monitoring Description:**
  - As proof of exempt eligibility for the emergency generators, the facility must maintain monthly records which demonstrate that each engine is operated less than 500 hours per year, on a 12-month rolling total basis.

- **Monitoring Frequency:** MONTHLY
- **Averaging Method:** ANNUAL MINIMUM ROLLED MONTHLY
- **Reporting Requirements:** UPON REQUEST BY REGULATORY AGENCY

**Condition 15: Trivial Sources - Proof of Eligibility**
**Effective between the dates of 08/02/2010 and 08/01/2015**

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

**Item 15.1:**
The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

**Condition 16: Standard Requirement - Provide Information**
**Effective between the dates of 08/02/2010 and 08/01/2015**

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

**Item 16.1:**
The owner and/or operator shall furnish to the department, within a reasonable time, any information that the department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the department copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the administrator along with a claim of confidentiality, if the
administrator initiated the request for information or otherwise has need of it.

**Condition 17: General Condition - Right to Inspect**
Effective between the dates of 08/02/2010 and 08/01/2015

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

**Item 17.1:**
The department or an authorized representative shall be allowed upon presentation of credentials and other documents as may be required by law to:

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

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

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

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

**Condition 18: Standard Requirements - Progress Reports**
Effective between the dates of 08/02/2010 and 08/01/2015

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

**Item 18.1:**
Progress reports consistent with an applicable schedule of compliance are to be submitted at least semiannually, or at a more frequent period if specified in the applicable requirement or by the department. Such progress reports shall contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

**Condition 19: Off Permit Changes**
Effective between the dates of 08/02/2010 and 08/01/2015

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

**Item 19.1:**
No permit revision will be required for operating changes that contravene an express permit term, provided that such changes would not violate applicable requirements as defined under this Part or contravene federally enforceable monitoring (including test methods), recordkeeping, reporting, or compliance certification permit terms and conditions. Such changes may be made without requiring a permit revision, if the changes are not modifications under any provision of
title I of the act and the changes do not exceed the emissions allowable under the permit (whether expressed therein as a rate of emissions or in terms of total emissions) provided that the facility provides the administrator and the department with written notification as required below in advance of the proposed changes within a minimum of seven days. The facility owner or operator, and the department shall attach each such notice to their copy of the relevant permit.

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

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

Condition 20: Required Emissions Tests
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 202-1.1

Item 20.1:
For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time.

Condition 21: Visible Emissions Limited
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 211.3

Item 21.1:
Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40 CFR Part 68

Item 22.1:
If a chemical is listed in Tables 1, 2, 3 or 4 of 40 CFR §68.130 is present in a process in quantities greater than the threshold quantity listed in Tables 1, 2, 3 or 4, the following requirements will apply:

a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;

b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:

1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided
in 40 CFR §68.10(a) or,

2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

**Condition 23:** Recycling and Emissions Reduction
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 40 CFR 82, Subpart F

**Item 23.1:**
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

**Condition 24:** Emission Unit Definition
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 6 NYCRR Subpart 201-6

**Item 24.1:**
The facility is authorized to perform regulated processes under this permit for:

- **Emission Unit:** E-00001
- **Emission Unit Description:** Process sources including dryers, granulators, conveying and storage systems, and other miscellaneous sources.

  - **Building(s):**
    - 10
    - 11B
    - 11-C&D
    - 12
    - 12E
    - 12G
    - 14
    - 14A
    - 3
    - 9
    - ADJ-12G
    - YARD

**Item 24.2:**
The facility is authorized to perform regulated processes under this permit for:

Emission Unit: E-00002
Emission Unit Description:
Renewal 1. This emission unit includes:

a) one emergency generator rated at 1600KW to operated under 500 hr per year.
b) one boiler (# 3) rated at 165 mmBTU/hr, which is exhausting flue gases through emission point 21C
c) one cogeneration unit with a combined heat rating of 167 mmBTU/hr. The cogeneration unit comprises a gas turbine rated at 58 mmBTU/hr when it is operated by itself and a duct burner with a heat rating of 109 mmBTU/hr when it is operated in conjunction with the turbine. When the duct burner is operated by itself, its heat rating can be as high as 164 mmBTU/hr. The co-gen system may be exhausting gases through emission points 23A or 23 under operation modes 5 and 6 described below. For all other operational modes emission point 23 will be employed.

The cogeneration system of this emission unit is allowed operational flexibility as follows:
1) the turbine operates on natural gas and the duct burner operates on natural gas,
2) the turbine operates on natural gas and the duct burner operates on #2 oil,
3) the turbine operates on #2 oil and the duct burner operates on natural gas,
4) the turbine operates on #2 oil and the duct burner operates on #2 oil,
5) the turbine operates on natural gas, duct burner is off.
6) the turbine operates on #2 oil, duct burner is off.
7) the duct burner operates on natural gas only, turbine is off.
8) the duct burner operates on #2 oil, turbine is off.

Note: The Facility is using the term duct burner and boiler No.4 interchangeably.

Building(s): 14B
5
5A

Condition 25: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR Subpart 201-6
Item 25.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0    OXIDES OF NITROGEN

Item 25.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility shall maintain a log detailing the time of use for any emission source, including temporary generators, exempt generators, and any other generators located on the facility property. This log will contain the name of generator, the dates of arrival and departure, hourly rates of usage and type of fuel used and quantity used. The log shall be maintained in a manner acceptable to the department.

This information will be submitted on a semiannual basis and maintained at the facility for a minimum of five (5) years.

Manufacturer Name/Model Number: N/A
Reference Test Method: EPA approved method
Monitoring Frequency: DAILY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 26: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 26.1:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0    OXIDES OF NITROGEN

Item 26.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The facility shall maintain records of all maintenance work performed on equipment, as required under Section 200.7 and will submit such records to the Department upon request.
Manufacturer Name/Model Number: N/A
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 27: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

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

Item 27.1:
The Compliance Certification activity will be performed for the Facility.

Item 27.2:
Compliance Certification shall include the following monitoring:

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

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

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

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

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

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

The address for the RAPCE is as follows:

NYSDEC Region 3 Suboffice
100 Hillside Avenue, #1W
White Plains, NY 10603

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due on the same day each year

**Condition 28: Compliance Certification**
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 6 NYCRR 201-6.5 (g) (3)

**Item 28.1:**
The Compliance Certification activity will be performed for the Facility.

**Item 28.2:**
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Except as otherwise provided in this Subpart, the department shall expressly include in a facility permit a provision stating that compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance. This permit shield applies provided all 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.

Therefore the facility shall comply with all necessary requirements as pursuant to 40 CFR 60 subpart Db by maintaining records demonstrating that the fuel oil meets the definition of very low sulfur oil. These records are to be maintained as described in section 40 CFR 60.49b(r).

Reference Test Method: EPA APPROVED METHOD
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 29: Facility Permissible Emissions
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 29.1:
The sum of emissions from the emission units specified in this permit shall not equal or exceed the following
Potential To Emit (PTE) rate for each regulated contaminant:

CAS No: 0NY210-00-0 PTE: 552,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 30: Capping Monitoring Condition
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 30.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:
6 NYCRR Subpart 231-2
40 CFR 52.21

Item 30.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 30.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Item 30.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 30.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 30.6:
The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 30.7:
Compliance Certification shall include the following monitoring:

Capping: Yes
Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The facility will calculate its NOx emissions from all emission sources, boiler # 3, the turbine, the duct burner and cogeneration (turbine and duct burner operating together) system as well as the exempt combustion sources. The facility will monitor monthly fuel consumption records per process (as identified herein) and calculate emissions using the AP-42 emission factors or emission factors that were derived from source testing. The P-42 emission factors to be used by each process are identified below:
1. Operation of processes C06 and C08 corresponds to emission factor 0.13 lbs NOx per mmBTU of natural gas fired. Reference: Ap-42, Table 3.1-1 for sources with water steam injection.

2. Operation of process C07 and C09 corresponds to emission factor 0.24 lbs NOx per mmBTU of No. 2 Oil fired. Reference: AP-42, Table 3.1-1 for sources with water steam injection.

3. Operation of process C12 corresponds to emission factor 190 lbs/mmscf (or 0.19 lbs NOx per mmBTU) of natural gas fired, provided that heating value of natural gas is 1000 BTU/scf. Reference: AP-42, Table 1.4-1 for post NSPS sources with uncontrolled emissions.

4. Operation of process C13 corresponds to emission factor 24 lbs per 1000 gallons of No.2 Oil fired (or 0.174 lbs/mmBTU), provided that the heating value of No.2 Oil is 138,000 BTU/gallon. Reference: Ap-42, Table 1.3-1 for sources with uncontrolled emissions.

5. NOx generated by operation of process C14 will be the sum of NOx generated by the turbine (use emission factor 0.13 lbs NOx per mmBTU of natural gas fired by the turbine (1000 BTU/scf) plus the NOx generated by the duct burner (use emission factor 24 lbs per 1000 gallons of No.2 Oil fired by the duct burner (or 0.174 lbs/mmBTU), provided that the heating value of oil is 138,000 BTU/gallon).

6. NOx generated by the operation of process C15 will be the sum of NOx generated by the turbine (use emission factor 0.24 lbs NOx per mmBTU of No. 2 Oil fired by the turbine) plus the NOx generated by the duct burner (use emission factor 190 lbs/mmscf of natural gas fired by the duct burner (or 0.19 lbs NOx per mmBTU, provided that the heating value of natural gas is 1000 BTU/scf).

The Facility shall maintain accurate records of fuel consumption for each one of the above processes and calculate NOx emissions on a monthly basis. In the event that the Facility can not record fuel consumption for each individual process, the most conservative emissions factors will be used to calculate NOx emissions.

The total facility emissions of oxides of nitrogen shall not exceed the limit of 276 tons per year.

The required semiannual reports, and annual compliance certification, must contain a summary of emission data to demonstrate that the facility is in compliance with this
limit. The facility shall maintain all records for a minimum of five years and shall make these records available to the Department for inspection during normal business hours.

Manufacturer Name/Model Number: N/A
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 276 tons per year
Reference Test Method: EPA approved method
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 31: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR 212.3 (b)

Item 31.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: E-00001
Process: 00A

Emission Unit: E-00001
Process: 00B

Emission Unit: E-00001
Process: 00D

Emission Unit: E-00001
Process: 00E

Emission Unit: E-00001
Process: 00F

Emission Unit: E-00001
Process: 00G

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

Item 31.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Emissions of solid particulates are limited to less than 0.15 grains of particulates per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis. Compliance testing will be conducted at the discretion of the Department.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 0.15 grains per dscf
Reference Test Method: EPA Method 5
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 32: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 225-1.2 (a) (2)

Item 32.1:
The Compliance Certification activity will be performed for the Facility.

Item 32.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
No person shall use, purchase, sell, or offer for sale any distillate fuel oil which has a sulfur content greater than the limit presented below. A log of the sulfur content in oil per delivery must be maintained on site for a minimum of five years after the date of the last entry.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.37 percent by weight
Monitoring Frequency: PER DELIVERY
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 33: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2) (i)
Item 33.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

- Emission Unit: E-00002
  Process: C06
- Emission Unit: E-00002
  Process: C08
- Emission Unit: E-00002
  Process: C14

Regulated Contaminant(s):
  CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 33.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
The owner or operator of a combined cycle combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits of 42 ppmvd, corrected to 15 percent oxygen, when firing natural gas.

For sources with a duct burner, compliance will be based on the combination of the turbine and the duct burner when both fire, and the turbine alone when not duct-firing. Compliance with these emission limits must be determined with a one hour average in accordance with section 227-2.6(a)(5) or (6) of this Subpart.

The owner or operator of a source required to conduct an emission test under subdivision (a) of this section must:

1. submit a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

2. utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title:
for combined cycle combustion turbines, utilize Method 7, 7E, 19 or 20 from 40 CFR part 60, Appendix A or another reference method approved by the department;

3) submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 42 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: Refer to description
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

**Condition 34: Compliance Certification**
**Effective between the dates of 08/02/2010 and 08/01/2015**

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (2) (ii)

**Item 34.1:**
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

- Emission Unit: E-00002
  Process: C07

- Emission Unit: E-00002
  Process: C09

- Emission Unit: E-00002
  Process: C15

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 34.2:**
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
The owner or operator of a combined cycle combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits of 65 ppmvd, corrected to 15 percent oxygen, when firing oil.

For sources with a duct burner, compliance will be based
on the combination of the turbine and the duct burner when both fire, and the turbine alone when not duct-firing. Compliance with these emission limits must be determined with a one hour average in accordance with section 227-2.6(a)(5) or (6) of this Subpart.

The owner or operator of a source required to conduct an emission test under subdivision (a) of this section must:

1. submit a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department;

2. utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title: for combined cycle combustion turbines, utilize Method 7, 7E, 19 or 20 from 40 CFR part 60, Appendix A or another reference method approved by the department;

3. submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 65 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: Refer to the description
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period. The initial report is due 1/30/2011. Subsequent reports are due every 6 calendar month(s).

Condition 35: EPA Region 2 address.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40 CFR 60.4, NSPS Subpart A

Item 35.1: All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

Director, Division of Enforcement and Compliance Assistance
Condition 36: Modification Notification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40 CFR 60.7(a), NSPS Subpart A

Item 36.1:
Any owner or operator subject to 40 CFR Part 60 shall furnish the Administrator and this office with the following information:

- a notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless the change is specifically exempted under 40 CFR Part 60. The notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productivity capability of the facility before and after the change, and the expected completion date of the change. The Administrator and/or this Department may request additional information regarding the change.

Condition 37: Recordkeeping requirements.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40 CFR 60.7(b), NSPS Subpart A

Item 37.1:
Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 38: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40 CFR 60.7(c), NSPS Subpart A

Item 38.1:
The Compliance Certification activity will be performed for the Facility.

Item 38.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each six (6) month period (or as appropriate), and shall contain the following information:

1) the magnitude of excess emissions computed, any conversion factors used, the date and time of each occurrence, and the process operating time during the reporting period;

2) specific identification of each period of excess emissions that occur during startup, shutdown, or malfunction, where the nature, cause, and corrective action are provided for a malfunction;

3) the date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and

4) when no excess emissions have occurred or when the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be provided in the report.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 39: Excess emissions report.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.7(d), NSPS Subpart A

Item 39.1:
A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 40: Monitoring frequency waiver.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.7(e), NSPS Subpart A
Item 40.1: Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the conditions in 40 CFR 60.7(c) are met.

Condition 41: Facility files for subject sources.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.7(f), NSPS Subpart A

Item 41.1:
The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 42: Notification Similar to State or Local Agency
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.7(g), NSPS Subpart A

Item 42.1:
If notification substantially similar to that in 40 CFR Part 60.7(a) is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of 40 CFR Part 60.7(a).

Condition 43: Performance testing timeline.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.8(a), NSPS Subpart A

Item 43.1:
Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 44: Performance Test Methods - Waiver
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.8(b), NSPS Subpart A

Item 44.1:
Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR Part 60 unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternate method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives
the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrators satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors.

**Condition 45:** Performance testing facilities.
*Effective between the dates of 08/02/2010 and 08/01/2015*

*Applicable Federal Requirement:* 40CFR 60.8(e), NSPS Subpart A

**Item 45.1:**
The following performance testing facilities shall be provided during all tests:

1) sampling ports adequate for tests methods applicable to such facility;

2) a safe sampling platform;

3) a safe access to the sampling platform; and

4) utilities for sampling and testing equipment.

**Condition 46:** Number of required tests.
*Effective between the dates of 08/02/2010 and 08/01/2015*

*Applicable Federal Requirement:* 40CFR 60.8(f), NSPS Subpart A

**Item 46.1:**
Each performance test shall consist of three separate runs, at the specified duration required in the applicable test method. Compliance with all applicable standards shall be determined by using the arithmetic means of the results of the three runs.

**Condition 47:** Availability of information.
*Effective between the dates of 08/02/2010 and 08/01/2015*

*Applicable Federal Requirement:* 40CFR 60.9, NSPS Subpart A

**Item 47.1:**
The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

**Condition 48:** Opacity standard compliance testing.
*Effective between the dates of 08/02/2010 and 08/01/2015*

*Applicable Federal Requirement:* 40CFR 60.11, NSPS Subpart A

**Item 48.1:**
The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);
2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

3) all other applicable conditions cited in section 60.11 of this part.

Condition 49: Circumvention.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.12, NSPS Subpart A

Item 49.1:
No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 50: Monitoring requirements.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.13, NSPS Subpart A

Item 50.1:
All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 51: Modifications.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.14, NSPS Subpart A

Item 51.1:
Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 52: Reconstruction
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.15, NSPS Subpart A

Item 52.1:
The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

1) a notice of intent to reconstruct 60 days prior to the action;

2) name and address of the owner or operator;

3) the location of the existing facility;

4) a brief description of the existing facility and the components to be replaced;
5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;

6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;

7) the estimated life of the facility after the replacements; and

8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

**Condition 53:** Compliance Certification  
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.44b(a)(1), NSPS Subpart Db

**Item 53.1:**  
The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:

- Emission Unit: E-00002  
  Process: C12
- Emission Unit: E-00002  
  Process: C13
- Emission Unit: E-00002  
  Process: C15

Regulated Contaminant(s):  
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 53.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
Oxides of nitrogen emissions while firing natural gas or distillate oil in high heat release rate units shall not exceed the limit stated below. The Owner or operator are required to conduct an emissions test under 0.20 lb/mmBTU.

Manufacturer Name/Model Number: N/A  
Upper Permit Limit: 0.2 pounds per million Btus  
Reference Test Method: Approved EPA method  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 3-hour average  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

**Condition 54:** **Compliance Certification**
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.44b(a)(1), NSPS Subpart Db

**Item 54.1:**
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

- Emission Unit: E-00002
  Process: C12

- Emission Unit: E-00002
  Process: C13

Regulated Contaminant(s):
  CAS No: 0NY210-00-0   OXIDES OF NITROGEN

**Item 54.2:**
Compliance Certification shall include the following monitoring:

- Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
- Monitoring Description:
  NOx emissions resulting from the operation of the duct burner when it fires either natural gas or No.2 oil, can not exceed the upper limit stated below. This limit, which is a function of the source's rating and the regulatory limit is calculated as follows:

  Duct Burner's rating: 164 mmBTU/hr
  NOx regulatory limit: 0.2 lb/mmBTU
  Short term limit: 164 mmBTU/hr * 0.2 lb/mmBTU = 32.8 lbs/hr

  Compliance with this limit will be ascertained by calculating the quantities of fuel consumed when the referenced process is operating and AP-42 emission factors (tables 1.3-1 or 1.4-1 as appropriate) or other emission factors established with actual stack tests.

  Compliance with the above stated limit will be ascertained by calculating the quantities of fuel burned by the duct burner when the referenced process is operating, using the AP-42 emission factors (tables 1.3-1 and table 1.4-1, as appropriate) or other emission factors established with actual stack tests.
Manufacturer Name/Model Number: N/A
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 32.8 pounds per hour
Reference Test Method: Approved EPA method
Monitoring Frequency: MONTHLY
Averaging Method: 3-hour average
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

**Condition 55:** Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 40CFR 60.334(a), NSPS Subpart GG

**Item 55.1:**
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

- Emission Unit: E-00002
  - Process: C06
  - Emission Point: 00023

- Emission Unit: E-00002
  - Process: C07
  - Emission Point: 00023

- Emission Unit: E-00002
  - Process: C08
  - Emission Point: 00023

- Emission Unit: E-00002
  - Process: C08
  - Emission Point: 0023A

- Emission Unit: E-00002
  - Process: C09
  - Emission Point: 00023

- Emission Unit: E-00002
  - Process: C09
  - Emission Point: 0023A

- Emission Unit: E-00002
  - Process: C14
  - Emission Point: 00023

- Emission Unit: E-00002
  - Process: C15
  - Emission Point: 00023

Regulated Contaminant(s):
CAS No: 0NY210-00-0
OXIDES OF NITROGEN

**Item 55.2:**
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The owner or operator of any stationary gas turbine subject to the provisions of 40 CFR 60 subpart GG that is using water or steam injection to control NOx emissions shall install, calibrate, maintain and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine. This system shall be accurate to within +/- 5% of the limits listed and shall be approved by the administrator.

The steam or water to fuel ratio that is continuously monitored as described above shall be monitored during the performance test required under 40 CFR 60 Subpart A ($60.8), to establish acceptable values and ranges. The owner or operator may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely.

The owner or operator shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NOx emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s) as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations and other relevant information shall be included in the monitoring plan.

The plan has to be submitted to NYSDEC for approval within 30 days from the date of the issuing of this permit. Upon approval the upper and lower values of the ratio will be filled in the respective lines below where it now reads "TBD" (= to be determined), through a permit modification.

Parameter Monitored: STEAM/FUEL VOLUMETRIC FLOW RATE RATIO
Lower Permit Limit: TBD ratio by volume
Upper Permit Limit: TBD ratio by volume
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2010.
Subsequent reports are due every 3 calendar month(s).
**** Emission Unit Level ****

Condition 56:  Emission Point Definition By Emission Unit
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 56.1:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit:  E-00001

Emission Point:  00001
  Height (ft.): 37  Diameter (in.): 23
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 10

Emission Point:  00003
  Height (ft.): 48  Diameter (in.): 36
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 10

Emission Point:  00004
  Height (ft.): 8  Diameter (in.): 24
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 11B

Emission Point:  00007
  Height (ft.): 61  Diameter (in.): 6
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 12E

Emission Point:  00008
  Height (ft.): 44  Diameter (in.): 7
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A

Emission Point:  00011
  Height (ft.): 100  Diameter (in.): 20
  NYTMN (km.): 4530.223  NYTME (km.): 592.033  Building: 3

Emission Point:  00014
  Height (ft.): 76  Diameter (in.): 29
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 11-C&D

Emission Point:  00015
  Height (ft.): 12  Diameter (in.): 20
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: YARD

Emission Point:  00016
  Height (ft.): 44  Diameter (in.): 7
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A

Emission Point:  00018
  Height (ft.): 12  Diameter (in.): 20
  NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: YARD
Emission Point: 00019
Height (ft.): 12  Diameter (in.): 20
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: YARD

Emission Point: 00020
Height (ft.): 40  Diameter (in.): 27
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 10

Emission Point: 00021
Height (ft.): 150  Diameter (in.): 120
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 12

Emission Point: 00024
Height (ft.): 69  Length (in.): 11  Width (in.): 5
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 12G

Emission Point: 00025
Height (ft.): 5  Length (in.): 11  Width (in.): 5
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: ADJ-12G

Emission Point: 00026
Height (ft.): 102  Length (in.): 11  Width (in.): 5
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 9

Emission Point: 00027
Height (ft.): 116  Diameter (in.): 6
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 9

Emission Point: 00029
Height (ft.): 58  Length (in.): 34  Width (in.): 48
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A

Emission Point: 00030
Height (ft.): 64  Diameter (in.): 8
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A

Emission Point: 00031
Height (ft.): 64  Diameter (in.): 8
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A

Emission Point: 00032
Height (ft.): 64  Diameter (in.): 9
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A

Emission Point: 00033
Height (ft.): 44  Length (in.): 30  Width (in.): 10
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A

Emission Point: 00034
Height (ft.): 29  Length (in.): 7  Width (in.): 5
NYTMN (km.): 4531.35  NYTME (km.): 592.2  Building: 14A
Item 56.2:
The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: E-00002

Emission Point: 00023
Height (ft.): 78
Diameter (in.): 46
NYTMN (km.): 4531.35
NYTME (km.): 592.2
Building: 5A

Emission Point: 0021C
Height (ft.): 150
Diameter (in.): 120
NYTMN (km.): 4531.35
NYTME (km.): 592.2
Building: 5A

Emission Point: 0023A
Height (ft.): 73
Diameter (in.): 46
NYTMN (km.): 4531.35
NYTME (km.): 592.2
Building: 5A

Condition 57:
Process Definition By Emission Unit
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 6 NYCRR Subpart 201-6

Item 57.1:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Process: 00A
Source Classification Code: 3-02-007-70
Process Description:
Air cooling and hot air drying of granulated sugar.

Emission Source/Control: 00001 - Process
Emission Source/Control: 00003 - Process
Emission Source/Control: 00020 - Process

Item 57.2:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Process: 00B
Source Classification Code: 3-02-015-99
Process Description: SUGAR CONVEYING AND STORAGE SYSTEM.

Emission Source/Control: 00004 - Process
Emission Source/Control: 00014 - Process

Item 57.3:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Item 57.4:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Process: 00E  Source Classification Code: 3-02-015-99
Process Description: NON SUGAR CONVEYING AND STORAGE SYSTEM.

Emission Source/Control: 00024 - Process
Emission Source/Control: 00025 - Process
Emission Source/Control: 00026 - Process
Emission Source/Control: 00027 - Process

Item 57.5:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Process: 00F  Source Classification Code: 3-02-015-99
Process Description: SUGAR CONVEYING AND STORAGE SYSTEM AND PACKAGING SYSTEM.

Emission Source/Control: 00007 - Process
Emission Source/Control: 00008 - Process
Emission Source/Control: 00016 - Process

Item 57.6:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Process: 00G  Source Classification Code: 3-02-015-99
Process Description: BULK TRAILOR MANHOLE EXHAUST AT GRANULATED SUGAR LOADING SPOT.

Emission Source/Control: 00015 - Process
Emission Source/Control: 00018 - Process
Emission Source/Control: 00019 - Process

Item 57.7:
This permit authorizes the following regulated processes for the cited Emission Unit:
Emission Unit:    E-00001 
Process: 00H       Source Classification Code: 3-02-015-25
Process Description:
   Regeneration of carbon with the aid of a multi-hearth furnace with scrubber less than 10 mmBTU/hr firing natural gas.

Emission Source/Control:   00028 - Combustion
Emission Source/Control:   00H28 - Control
Control Type: WET SCRUBBER

Item 57.8:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit:    E-00001 
Process: 00I       Source Classification Code: 3-02-015-99
Process Description:
   This process includes the new powder sugar mill, a 9,000 lb starch storage bin and a 60,000 lb sugar storage bin. This process is regulated under 6NYCRR Part 212.4(c) with permissible limit 0.05 grains/dscf.

Emission Source/Control:   C0029 - Control
Control Type: FABRIC FILTER
Emission Source/Control:   C0030 - Control
Control Type: FABRIC FILTER
Emission Source/Control:   C0031 - Control
Control Type: FABRIC FILTER
Emission Source/Control:   S0029 - Process
Emission Source/Control:   S0030 - Process
Emission Source/Control:   S0031 - Process

Item 57.9:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit:    E-00001 
Process: 00J       Source Classification Code: 3-02-015-99
Process Description:
   This process contains a new product storage bin which is used for packaging confectionary sugar. This process is regulated under 6 NYCRR Part 212.4 (c) with a limit of 0.05 grains/dscf.

Emission Source/Control:   C0032 - Control
Control Type: FABRIC FILTER
Item 57.10:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00001
Process: 00K Source Classification Code: 3-02-015-99
Process Description:
This process pertains to a new tote packaging line including a pressure blower package. Bulk bag supply bin is controlled through AVR vent filter (DC-6) EP33. Nuisance dust generated during the tote filling is controlled with AVS vent filter (DC-7) EP #34.

Emission Source/Control: 0033B - Control
Control Type: FABRIC FILTER

Emission Source/Control: 0034B - Control
Control Type: FABRIC FILTER

Emission Source/Control: 0033A - Process

Item 57.11:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00002
Process: C01 Source Classification Code: 1-01-006-01
Process Description: BOILER #3 USING NATURAL GAS.

Emission Source/Control: 0021C - Combustion
Design Capacity: 165.5 million Btu per hour

Item 57.12:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00002
Process: C02 Source Classification Code: 1-01-005-01
Process Description: BOILER #3 USING NO. 2 FUEL OIL.

Emission Source/Control: 0021C - Combustion
Design Capacity: 165.5 million Btu per hour

Item 57.13:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00002
Process: C06 Source Classification Code: 2-02-002-03
Process Description:
GAS TURBINE + DUCT BURNER (COGENERATION SYSTEM) BURNING NATURAL GAS. The Duct Burner is also called boiler #4. When both sources operate together, they can generate up
to 167 mmBTU/hr. Please note that the duct burner's rating is 164 mmBTU/hr when the duct burner operates by itself. This mode of operation is allowed to exhaust thru emission point 00023 only.

Emission Source/Control: 00023 - Combustion
Design Capacity: 164 million Btu per hour

Emission Source/Control: 0023A - Combustion
Design Capacity: 58 million Btu per hour

**Item 57.14:**
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00002
Process: C07 Source Classification Code: 2-02-001-03
Process Description:
GAS TURBINE + DUCT BURNER (COGENERATION SYSTEM) BURNING NO. 2 OIL. The Duct Burner is also called boiler #4. The two sources operating together can generate up to 167 mmBTU/hr. Please note that the duct burner’s rating is 164 mmbt/hr when the duct burner operates by itself. This mode of operation is allowed to exhaust thru emission point 00023 only.

Emission Source/Control: 00023 - Combustion
Design Capacity: 164 million Btu per hour

Emission Source/Control: 0023A - Combustion
Design Capacity: 58 million Btu per hour

**Item 57.15:**
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00002
Process: C08 Source Classification Code: 2-01-002-01
Process Description:
Existing gas turbine burning natural gas. Turbine alone is rated at 58 mmbtu/hr. This mode of operation is allowed to exhaust thru emission point 00023 or thru emission point 0023A.

Emission Source/Control: 0023A - Combustion
Design Capacity: 58 million Btu per hour

**Item 57.16:**
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00002
Process: C09 Source Classification Code: 2-02-001-03
Process Description:
Existing gas turbine burning No.2 oil. The turbine operating alone can generate up to 58 mmBTU/hr. This mode of operation is allowed to exhaust thru emission point 00023 or point 0023A.

Emission Source/Control: 0023A - Combustion
Design Capacity: 58 million Btu per hour

**Item 57.17:**
This permit authorizes the following regulated processes for the cited Emission Unit:

- **Emission Unit:** E-00002
- **Process:** C12
- **Source Classification Code:** 1-02-006-04
- **Process Description:**
  Duct Burner (also called boiler #4) operating alone while firing natural gas. The duct burner is part of a Gas Turbine Cogeneration system and when operated alone can generate up to 164 mmBTU/hr. This mode of operation is allowed to exhaust thru emission point 00023 only.

Emission Source/Control: 00023 - Combustion
Design Capacity: 164 million Btu per hour

**Item 57.18:**
This permit authorizes the following regulated processes for the cited Emission Unit:

- **Emission Unit:** E-00002
- **Process:** C13
- **Source Classification Code:** 1-02-005-05
- **Process Description:**
  Duct Burner (also called boiler #4) operating alone while firing No.2 Oil. The duct burner is part of a Gas Turbine Cogeneration system and when operated alone can generate up to 164 mmBTU/hr. This mode of operation is allowed to exhaust thru emission point 00023 only.

Emission Source/Control: 00023 - Combustion
Design Capacity: 164 million Btu per hour

**Item 57.19:**
This permit authorizes the following regulated processes for the cited Emission Unit:

- **Emission Unit:** E-00002
- **Process:** C14
- **Source Classification Code:** 1-02-005-05
- **Process Description:**
  This process describes the operation of the cogeneration unit when the turbine operates burning natural gas while the duct burner operates firing No.2 Oil. This operational mode can achieve a heat rating of 167 mmBTU/hr, out of which 58 mmBTU/hr is attributed to the turbine and 109 mmBTU/hr is attributed to the duct burner. Please note that the duct burner's rating is 164 mmBTU/hr when the duct burner operates by itself. This mode of operation is
Item 57.20:
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: E-00002
Process: C15    Source Classification Code: 1-02-006-04

Process Description:
This process describes the operation of the cogeneration unit when the turbine operates burning No.2 oil while the duct burner operates firing natural gas. This operational mode can achieve a heat rating of 167 mmBTU/hr, out of which 58 mmBTU/hr is attributed to the turbine and 109 mmBTU/hr is attributed to the duct burner. Please note that the duct burner's rating is 164 mmBTU/hr when the duct burner operates by itself. This mode of operation is allowed to exhaust thru emission point 00023 only.

Emission Source/Control: 00023 - Combustion
Design Capacity: 164 million Btu per hour

Emission Source/Control: 0023A - Combustion
Design Capacity: 58 million Btu per hour

Condition 58: Emission Unit Permissible Emissions
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 58.1: The sum of emissions from all regulated processes specified in this permit for the emission unit cited shall not exceed the following Potential to Emit (PTE) rates for each regulated contaminant:

Emission Unit: E-00002

CAS No: 0NY210-00-0
Name: OXIDES OF NITROGEN
PTE(s): 62.67 pounds per hour
549,000 pounds per year

Condition 59: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 212.6 (a)
Item 59.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00001

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

Item 59.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
No person will cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emissions of uncombined water.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: DAILY
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 212.6 (a)

Item 60.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00001

Item 60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source, except only the emission of uncombined water. Compliance with this requirement shall be determined by the facility owner/operator conducting a daily survey of visible emissions when the process is in operation. If any
visible emissions are identified, corrective action is required. The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: EPA Method 9
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 61: Particulate emission rate based on process weight
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 212.9 (d)

Item 61.1:
This Condition applies to
Emission Unit: E-00001
Process: 00A

Item 61.2:
Processes subject to this provision must not emit permissible particulate emissions in excess of the limits shown in Table 4 of 6NYCRR Part 212.9(d) for the appropriate process weight of the process regulated.

Condition 62: Capping Monitoring Condition
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR Subpart 201-7

Item 62.1:
Under the authority of 6 NYCRR Part 201-7, this condition contains an emission cap for the purpose of limiting emissions from the facility, emission unit or process to avoid being subject to the following applicable requirement(s) that the facility, emission unit or process would otherwise be subject to:

6 NYCRR Subpart 231-2
40 CFR 52.21

Item 62.2:
Operation of this facility shall take place in accordance with the approved criteria, emission limits, terms, conditions and standards in this permit.

Item 62.3:
The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.
Item 62.4:
On an annual basis, unless otherwise specified below, beginning one year after the granting of an emissions cap, the responsible official shall provide a certification to the Department that the facility has operated all emission units within the limits imposed by the emission cap. This certification shall include a brief summary of the emissions subject to the cap for that time period and a comparison to the threshold levels that would require compliance with an applicable requirement.

Item 62.5:
The emission of pollutants that exceed the applicability thresholds for an applicable requirement, for which the facility has obtained an emissions cap, constitutes a violation of Part 201 and of the Act.

Item 62.6:
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002
- Regulated Contaminant(s):
  - CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 62.7:
Compliance Certification shall include the following monitoring:

- Capping: Yes
- Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
- Monitoring Description:
  The permittee shall calculate the tons per year of emissions of oxides of nitrogen through the use of record keeping procedures for NOx, required elsewhere in this permit, based on 12 month rolling average.
  
  NOx emissions of Emission Unit E0002 shall not exceed the limit of 274.5 tons per year. The required semi-annual reports, and annual compliance certification, must contain a summary of emission data to demonstrate that the facility is in compliance with this statement.

  Emissions shall be calculated with the use of AP-42 published emission factors or with the use of emission factors derived from actual stack tests. NOx emissions for emission unit E0002 shall be calculated using the following formula:

  \[
  \text{NOx (lbs/year)} = \text{B3(NG) * EF(B3NG)} \times 1,000 \text{ btu/scf} + 
  \text{B3oil * EF (B3OIL)} \times 138,000 \text{ btu/gallons} + 
  \text{+P6(NG) * EF(P6NG)} \times 1,000 
  \text{btu/scf} + \text{P7(OIL) * EF(P7OIL)} \times 138,000 \text{ btu/gallons} + 
  \text{+P8(NG) * EF(P8NG)} \times 1,000
  \]
btu/scf + P9(OIL) * EF(P9OIL) * 138,000 btu/gallons +
+P12(NG) * EF(P12NG) * 1,000
btu/scf + P13(OIL) * EF(P13OIL) * 138,000 btu/gallons +
+P14(NGT) * EF(P14NGT) *
1,000 btu/scf + P14(OILDB) * EF(P14OILDB) *138,000
btu/gallons+
+P15(NGDB) * EF(P15NGDB) *
1,000 btu/scf + P15(OILT) * EF(P15OILT) *138,000
btu/gallons

Where:
B3(NG): Annual quantity of natural gas fired in Boiler #3,
B3(OIL): Annual quantity of No.2 oil fired in Boiler #3,
P6(NG): Annual quantity of natural gas fired during
Process C06 (Turbine & Duct Burner),
P7(OIL): Annual quantity of No.2 oil fired during Process
C07 (Turbine & Duct Burner),
P8(NG): Annual quantity of natural gas fired during
Process C08 (Turbine alone),
P9(OIL): Annual quantity of No.2 oil fired during Process
C09 (Turbine alone),
P12(NG): Annual quantity of natural gas fired during
Process C12 (Duct Burner alone),
P13(OIL): Annual quantity of No.2 oil fired during Process
C13 (Duct Burner alone),
P14(NGT): Annual quantity of natural gas fired by the
turbine, during process C14,
P14(OILDB): Annual quantity of No.2 oil fired by the Duct
Burner, during process C14,
P15(NGDB): Annual quantity of natural gas fired by the
Duct Burner, during process C15,
P15(OILT): Annual quantity of No.2 oil fired by the
Turbine, during process C15.

Emission Factors from AP-42
EF(B3NG): 280 lb/mmscf (Table 1.4-1, uncontrolled
boilers, pre-NSPS),
EF(B3OIL): 24 lb/1000 gallons (Table 1.3-1),
EF(P6NG): 1.3E-01 lb/mmBTU (water-steam injection) (Table
3.1-1),
EF(P7OIL): 2.4E-01 lb/mmBTU (water-steam injection) (Table
3.1-1),
EF(P8NG): 1.3E-01 lb/mmBTU (water-steam injection) (Table
3.1-1),
EF(P9OIL): 2.4E-01 lb/mmBTU (water-steam injection) (Table
3.1-1),
EF(P12NG): 190 lb/mmscf (uncontrolled post-NSPS) (Table
1.4-1),
EF(P13OIL): 24 lb/1000 gallons (uncontrolled) (Table
1.4-1)
Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 274.5  tons per year  
Reference Test Method: AP-42 Emission Factors or actual test results  
Monitoring Frequency: MONTHLY  
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 6 calendar month(s). 

Condition 63:  Compliance Certification  
Effective between the dates of 08/02/2010 and 08/01/2015  
Applicable Federal Requirement:6 NYCRR 227-2.4 (b) (1) 

Item 63.1:  
The Compliance Certification activity will be performed for the facility:  
The Compliance Certification applies to:  

Emission Unit: E-00002  
Process: C01  

Emission Unit: E-00002  
Process: C02  

Regulated Contaminant(s):  
CAS No: 0NY210-00-0   OXIDES OF NITROGEN  

Item 63.2:  
Compliance Certification shall include the following monitoring:  
Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
NOx emission limits for large boilers, where compliance with the specific emission limit is verified through stack testing.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.30 pounds per million Btus
Reference Test Method: Method 7
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 64: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (1) (i)

Item 64.1:
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002
- Process: C06
- Regulated Contaminant(s):
  - CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 64.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
NOx emissions from the operation of the co-generation unit when firing natural gas cannot exceed the limit stated below. This limit is a function of the source's rating and regulatory limit is calculated according to the Method 19 as follows:

Co-gen rating: 167 mmBtu/hr (58 mmBTU/hr fro the turbine and 109 mmBTU/hr for the duct burner)
NOx regulatory limitation: 42 ppmvd at 15% oxygen
Required conversion factor: 1 ppm of NOx = 1.194 x 10^(-7)
Equation: E = Cd x Fd x [20.9*/(20.9-15)], where: E = emissions in lbs/mmBtu.

Cd = NOx concentration (mass) in lbs/scf
Fd = fuel factor (scf/mmBtu)

Then:

Cd = 42 ppmvd at 15% oxygen

Fd = 8710 scf/mmBtu for natural gas

Therefore:

\[ E = 42 \times 1.194 \times 10^{-7} \text{ lb/scf (x) 8710 scf/mmBtu (x) } \]
\[ \frac{20.9}{(20.9-15)} \]
\[ = 0.1547 \text{ lb/mmBtu} \]

Short term limit is then:

\[ 167 \text{ mmBtu/hr (x) 0.1547 lb/mmBtu} = 25.84 \text{ lb/hr} \]

Compliance with the above stated limit will be ascertained by calculating the quantities of fuel burned by each source of the system when the referenced process is operating, using the AP-42 emission factors (tables 3.1-1 for the turbine and table 1.4-1 for the duct burner) or other emission factors established with actual stack tests.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 25.84 pounds per hour
Monitoring Frequency: MONTHLY
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 65: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (1) (i)

Item 65.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002
Process: C06

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The owner or operator of a combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits. For combined cycle combustion units with maximum heat input rates of 10 mmBtu/hr or greater must comply with the 42 ppmvd, corrected to 15 percent oxygen, when firing gas.

For sources with a duct burner, compliance will be based on the combination of the turbine and the duct burner when both fire, and the turbine alone when not duct-firing. Compliance with these emission limits must be determined with a one hour average in accordance with section 227-2.6(a)(5) or (6) of this Subpart.

The owner or operator of a source required to conduct an emission test under subdivision (a) of this section must:

1. submit a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

2. utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title: for combined cycle combustion turbines, utilize Method 7, 7E, 19 or 20 from 40 CFR part 60, Appendix A or another reference method approved by the department, and

3. submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 42 parts per billion by volume (dry, corrected to 15% O2)

Reference Test Method: refer to the description

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

**Condition 66:** Compliance Certification  
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (2) (ii)

**Item 66.1:**
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002  
  Process: C07

  Regulated Contaminant(s):
  - CAS No: 0NY210-00-0  OXIDES OF NITROGEN

**Item 66.2:**
Compliance Certification shall include the following monitoring:

- Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
- Monitoring Description:
  The owner or operator of a combined cycle combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits of 65 ppmvd, corrected to 15 percent oxygen, when firing oil.

  Parameter Monitored: OXIDES OF NITROGEN  
  Upper Permit Limit: 65  parts per million by volume (dry, corrected to 15% O2)  
  Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
  Averaging Method: 1-HOUR AVERAGE  
  Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
  Reports due 30 days after the reporting period.  
  The initial report is due 1/30/2011.  
  Subsequent reports are due every 6 calendar month(s).

**Condition 67:** Compliance Certification  
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (2) (ii)

**Item 67.1:**
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002  
  Process: C07
Regulated Contaminant(s):
CAS No: 0NY210-00-0  OXIDES OF NITROGEN

Item 67.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Description:
NOx emissions resulting from the operation of the turbine
when it is firing only fuel oil, cannot exceed the upper
limit amount stated below. This limit, which is a
function of the source's rating and the regulatory limit,
was calculated according to Method 19 as follows:

Co-gen Rating: 167 mmBtu/hr (58 mmBTU/hr for the turbine
and 109 mmBTU/hr for the duct burner)

For the Turbine:
NOx regulatory limitation: 65 ppmvd at 15% oxygen
Conversion factor: 1 ppm of NOx = 1.194 x 10^(-7) lb/scf
(x) 9190 scf/mmBtu (x) [20.9/(20.9 - 15)]

= 0.2527 lb/mmBtu
Equation used: E = Cd (x) Fd (x) [20.9/(20.9 - 15)],
where: E = Emissions in lbs/mmBtu

Cd = NOx concentration
(mass) in lb/scf

Fd = fuel factor
(scf/mmBtu)

Then:  Cd = 65 ppmvd at 15% oxygen
Fd = 9190 scf/mmBtu for No. 2 oil

E = 65 (x) 1.194 x 10^(-7) lb/scf (x) 9190
scf/mmBtu (x) [20.9/(20.9 - 15)]

= 0.2527 lb/mmBtu

Short term limit attributed to the turbine: 58 mmBtu/hr
(x) 0.2527 lb/mmBtu = 14.6 lbs/hr.

For the Duct Burner regulation 40 CFR Db (44b) set the NOx
emission limit to 0.2 lbs/mmBTU.
Short term limit attributed to the duct burner:
0.2lbs/mmBTU x 109 mmBTU/hr = 21.8 lbs/hr

Short term limit for both sources: 14.6 + 21.8 = 36.4
lbs/hr
Compliance with the above stated limit will be ascertained by calculating the quantities of fuel burned by each source of the system when the referenced process is operating, using the AP-42 emission factors (tables 3.1-1 for the turbine and table 1.4-1 for the duct burner) or other emission factors established with actual stack tests.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 36.4 pounds per hour  
Reference Test Method: 40 CFR 60 Appendix A, Method 7  
Monitoring Frequency: MONTHLY  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 6 calendar month(s).

**Condition 68: Compliance Certification**  
**Effective between the dates of 08/02/2010 and 08/01/2015**  

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (1) (i)

**Item 68.1:**  
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002  
- Process: C08  

Regulated Contaminant(s):  
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

**Item 68.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE  
Monitoring Description:  
NOx emissions from the operation of the turbine unit when firing natural gas cannot exceed the limit stated below. This limit is a function of the source’s rating and regulatory limit is calculated according to the Method 19 as follows:

- Turbine rating: 58 mmBtu/hr  
- NOx regulatory limitation: 42 ppmvd at 15% oxygen  
- Required conversion factor: 1 ppm of NOx = 1.194 x 10^(-7)  
- Equation: E = Cd x Fd x [20.9*/(20.9-15)], where: E = emissions in lbs/mmBtu.
Cd = NOx concentration (mass) in lbs/scf

Fd = fuel factor (scf/mmBtu)

Then:

Cd = 42 ppmvd at 15% oxygen

Fd = 8710 scf/mmBtu for natural gas

Therefore:

\[
E = 42 \times 1.194 \times 10^{-7} \text{ lb/scf} \times 8710 \text{ scf/mmBtu} \times \left[\frac{20.9}{(20.9-15)}\right] \\
= 0.1547 \text{ lb/mmBtu}
\]

Short term limit is then:

\[
58 \text{ mmBtu/hr} \times 0.1547 \text{ lb/mmBtu} = 8.97 \text{ lb/hr}
\]

Compliance with the above stated limit will be ascertained by calculating the quantities of fuel burned by the turbine when the referenced process is operating, using the AP-42 emission factors (tables 3.1-1 for the turbine) or other emission factors established with actual stack tests.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 8.97 pounds per hour
Monitoring Frequency: MONTHLY
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

**Condition 69:** Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (1) (i)

**Item 69.1:**
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002
- Process: C08

Regulated Contaminant(s):
Item 69.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
The owner or operator of a combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits. For combined cycle combustion units with maximum heat input rates of 10 mmBtu/hr or greater must comply with the 42 ppmvd, corrected to 15 percent oxygen, when firing gas.

For sources with a duct burner, compliance will be based on the combination of the turbine and the duct burner when both fire, and the turbine alone when not duct-firing. Compliance with these emission limits must be determined with a one hour average in accordance with section 227-2.6(a)(5) or (6) of this Subpart.

The owner or operator of a source required to conduct an emission test under subdivision (a) of this section must:

(1) submit a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

(2) utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title: for combined cycle combustion turbines, utilize Method 7, 7E, 19 or 20 from 40 CFR part 60, Appendix A or another reference method approved by the department, and

(3) submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 42 parts per billion by volume (dry, corrected to 15% O2)
Reference Test Method: refer to the description
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 70: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2) (ii)

Item 70.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002
Process: C09

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 70.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
NOx emissions resulting from the operation of the turbine when it is firing only fuel oil, cannot exceed the upper limit amount stated below. This limit, which is a function of the source's rating and the regulatory limit, was calculated according to Method 19 as follows:

Turbine Rating: 58 mmBtu/hr
NOx regulatory limitation: 65 ppmvd at 15% oxygen
Conversion factor: 1 ppm of NOx = 1.194 x 10^-7 lb/scf
(x) 9190 scf/mmBtu (x) [20.9/(20.9 - 15)]

= 0.2527 lb/mmBtu
Equation used: E = Cd (x) Fd (x) [20.9/(20.9 - 15)],
where: E = Emissions in lbs/mmBtu

Cd = NOx concentration
(mass) in lb/scf

Fd = fuel factor
(scf/mmBtu)

Then: Cd = 65 ppmvd at 15% oxygen
Fd = 9190 scf/mmBtu for No. 2 oil

\[
E = 65 \times 1.194 \times 10^{-7} \text{ lb/scf} \times 9190 \\
= 0.2527 \text{ lb/mmBtu}
\]

Short term limit: 58 mmBtu/hr \( \times \) 0.2527 lb/mmBtu = 14.7 lb/hr.

Compliance with the above stated limit will be ascertained by calculating the quantities of fuel burned by the turbine the referenced process is operating, using the AP-42 emission factors (tables 3.1-1 for the turbine) or other emission factors established with actual stack tests.

Parameter Monitored: OXIDES OF NITROGEN  
Upper Permit Limit: 14.7 pounds per hour  
Reference Test Method: 40 CFR 60 Appendix A, Method 7  
Monitoring Frequency: MONTHLY  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 6 calendar month(s).

**Condition 71: Compliance Certification**  
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (2) (ii)

**Item 71.1:**  
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002  
  Process: C09

Regulated Contaminant(s):

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

**Item 71.2:**  
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:

The owner or operator of a combined cycle combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits of 65 ppmvd, corrected to 15 percent oxygen, when firing oil.

For sources with a duct burner, compliance will be based...
on the combination of the turbine and the duct burner when both fire, and the turbine alone when not duct-firing. Compliance with these emission limits must be determined with a one hour average in accordance with section 227-2.6(a)(5) or (6) of this Subpart.

The owner or operator of a source required to conduct an emission test under subdivision (a) of this section must:

(1) submit a compliance test protocol to the department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

(2) utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title: for combined cycle combustion turbines, utilize Method 7, 7E, 19 or 20 from 40 CFR part 60, Appendix A or another reference method approved by the department;

(3) submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 65 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: Refer to the description.
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 72: Standards for oxides of nitrogen.
Effective between the dates of 08/02/2010 and 08/01/2015
Applicable Federal Requirement: 40CFR 60.44b(a)(1), NSPS Subpart Db

Item 72.1:
This Condition applies to Emission Unit: E-00002
Process: C12

Item 72.2:
Oxides of nitrogen emissions while firing natural gas or distillate oil in high heat release rate units shall not exceed 0.20 lb/mmBtu.

**Condition 73:** Standards for oxides of nitrogen.
*Effective between the dates of 08/02/2010 and 08/01/2015*

**Applicable Federal Requirement:** 40 CFR 60.44b(a)(1), NSPS Subpart Db

**Item 73.1:**
This Condition applies to  
Emission Unit: E-00002  
Process: C13

**Item 73.2:**
Oxides of nitrogen emissions while firing natural gas or distillate oil in high heat release rate units shall not exceed 0.20 lb/mmBtu.

**Condition 74:** Demonstration criteria for low sulfur oil.
*Effective between the dates of 08/02/2010 and 08/01/2015*

**Applicable Federal Requirement:** 40 CFR 60.42b(j), NSPS Subpart Db

**Item 74.1:**
This Condition applies to  
Emission Unit: E-00002  
Process: C13  
Emission Source: 00023

**Item 74.2:**
Affected facilities which fire very low sulfur oil shall demonstrate that the oil meets the definition of very low sulfur oil by:

1) Following the performance testing procedures in subdivision 60.45b(c) or subdivision 60.45b(d) and following monitoring procedures in subdivision 60.47b(a) or in subdivision 60.47b(b) to determine SO2 emission rate or fuel oil sulfur content; or

2) Maintaining fuel receipts as described in subdivision 60.49b(r).

**Condition 75:** Compliance Certification
*Effective between the dates of 08/02/2010 and 08/01/2015*

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (2) (i)

**Item 75.1:**
The Compliance Certification activity will be performed for:
Item 75.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Description:
NOx emissions from the operation of the system when the turbine is firing natural gas while the duct burner is firing No.2 Oil cannot exceed the limit stated below. This limit is a function of the source’s rating and regulatory limit is calculated according to the Method 19 as follows:

Co-gen rating: 167 mmBtu/hr (58 mmBTU/hr for the turbine and 109 mmBTU/hr for the duct burner)

For the turbine limit is set by NYCRR 227-2.4 (e)(2)(i)
NOx regulatory limitation: 42 ppmvd at 15% oxygen
Required conversion factor: 1 ppm of NOx = 1.194 x 10^-7
Equation: \( E = C_d \times F_d \times \left[ \frac{20.9}{20.9-15} \right] \)
\( C_d = \text{NOx concentration (mass) in lbs/scf} \)
\( F_d = \text{fuel factor (scf/mmBtu)} \)

Then:
\( C_d = 42 \text{ ppmvd at 15% oxygen} \)
\( F_d = 8710 \text{ scf/mmBtu for No.2 Oil} \)

Therefore:
\( E = 42 \times 1.194 \times 10^{-7} \text{ lb/scf} \times 8710 \text{ scf/mmBtu} \times \left[ \frac{20.9}{20.9-15} \right] \)
\( = 0.155 \text{ lb/mmBtu} \)

Short term limit attributed to the turbine is: 58 mmBtu/hr x 0.155 lb/mmBtu = 8.99 lb/hr

For the Duct burner:
Use the more stringent limit of 42 ppm (NYCRR 227-2.4)
(e)(2)(i)) which as shown above corresponds to 0.155 lb/mmBTU.
Short term limit attributed to the duct burner is: 109 mmBTU/hr x 0.155 mmBTU/hr = 16.9 lb/hr

Short term limits for both sources: 8.99 + 16.9 = 25.8 lb/hr.

Compliance with the above stated limit will be ascertained by calculating the quantities of fuel burned by each source of the system when the referenced process is operating, using the AP-42 emission factors (tables 3.1-1 for the turbine and table 1.3-1 for the duct burner) or other emission factors established with actual stack tests.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 25.8 pounds per hour
Monitoring Frequency: MONTHLY
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 76: Demonstration criteria for low sulfur oil.
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.42b(j), NSPS Subpart Db

Item 76.1:
This Condition applies to Emission Unit: E-00002
Process: C14 Emission Source: 00023

Item 76.2:
Affected facilities which fire very low sulfur oil shall demonstrate that the oil meets the definition of very low sulfur oil by:

1) Following the performance testing procedures in subdivision 60.45b(c) or subdivision 60.45b(d) and following monitoring procedures in subdivision 60.47b(a) or in subdivision 60.47b(b) to determine SO2 emission rate or fuel oil sulfur content; or

2) Maintaining fuel receipts as described in subdivision 60.49b(r).
Condition 77: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2) (ii)

Item 77.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002
Process: C15

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 77.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Description:
NOx emissions from the operation of the system when the turbine is firing oil while the duct burner is firing natural gas cannot exceed the limit stated below. This limit is a function of the source's rating and regulatory limit is calculated according to the Method 19 as follows:

Co-gen rating: 167 mmBtu/hr (58 mmBTU/hr for the turbine and 109 mmBTU/hr for the duct burner)

For the turbine limit is set by NYCRR 227-2.4 (e)(2)(ii)
NOx regulatory limitation: 65 ppmvd at 15% oxygen
Required conversion factor: 1 ppm of NOx = 1.194 x 10^(-7)
Equation: E = Cd x Fd x (20.9*/(20.9-15)), where: E = emissions in lbs/mmBtu.

Cd = NOx concentration (mass) in lbs/scf
Fd = fuel factor (scf/mmBtu)

Then:
Cd = 65 ppmvd at 15% oxygen
Fd = 9190 scf/mmBtu for No.2 Oil.
Therefore:
E = 65 x 1.194x10^(-7) lb/scf (x) 9190 scf/mmBtu (x)
Short term limit attributed to the turbine is: 58 mmBtu/hr \( \times \) 0.2527 lb/mmBtu = 14.6 lb/hr

For the Duct burner:

Limit is set by the 40 CFR 60 Db (44b) to 0.2 lbs/mmBTU, when the duct burner’s maximum rating is 109 mmBTU/hr. Thus Short term limit attributed to the duct burner = 0.2 lbs/mmBTU \* 109 mmBTU/hr = 21.8 lb/hr.

Short term limits for both sources: 14.6 + 21.8 = 36.4 lb/hr.

Compliance with the above stated limit will be ascertained by calculating the quantities of fuel burned by each source of the system when the referenced process is operating, using the AP-42 emission factors (tables 3.1-1 for the turbine and table 1.4-1 for the duct burner) or other emission factors established with actual stack tests.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 36.4 pounds per hour
Monitoring Frequency: MONTHLY
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

**Condition 78: Compliance Certification**
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 6 NYCRR 227-2.4 (e) (2)

**Item 78.1:**
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002
- Emission Point: 00023
- Regulated Contaminant(s):
  - CAS No: 0NY210-00-0
  - OXIDES OF NITROGEN

**Item 78.2:**
Compliance Certification shall include the following monitoring:

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

Monitoring Description:
The owner or operator of a combined cycle combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits of 65 ppmvd, corrected to 15 percent oxygen, when firing oil.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 65 parts per million by volume (dry, corrected to 15% O2)
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 79: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 227-2.4 (e) (2)

Item 79.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002  
Emission Point: 00023

Regulated Contaminant(s):
CAS No: 0NY210-00-0  
OXIDES OF NITROGEN

Item 79.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
The owner or operator of a combined cycle combustion turbine with a maximum heat input rate of 10 million Btu per hour or greater must comply with the presumptive RACT emission limits of 42 ppmvd, corrected to 15 percent oxygen, when firing natural gas.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 42 parts per million by volume (dry, corrected to 15% O2)
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).
Condition 80: Compliance Certification  
Effective between the dates of 08/02/2010 and 08/01/2015  

Applicable Federal Requirement: 6 NYCRR 227-2.6 (c)  

Item 80.1:  
The Compliance Certification activity will be performed for:  

Emission Unit: E-00002  
Emission Point: 00023  

Regulated Contaminant(s):  
CAS No: 0NY210-00-0  
OXIDES OF NITROGEN  

Item 80.2:  
Compliance Certification shall include the following monitoring:  

Monitoring Type: INTERMITTENT EMISSION TESTING  
Monitoring Description:  
The owner or operator of a source required to conduct an emission test for combined cycle combustion turbines when firing natural gas shall submit the following:  

1) a compliance test protocol to the department for approval at least 90 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and  

2) utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title.  

Upper Permit Limit: 42 parts per million by volume (dry, corrected to 15% O2)  
Reference Test Method: 40 CFR 60, Appendix A, Method 7  
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT  
Averaging Method: 1-HOUR AVERAGE  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2011.  
Subsequent reports are due every 6 calendar month(s).  

Condition 81: Compliance Certification  
Effective between the dates of 08/02/2010 and 08/01/2015  

Applicable Federal Requirement: 6 NYCRR 227-2.6 (c)  

Item 81.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002  Emission Point: 00023

Regulated Contaminant(s):
CAS No: 0NY210-00-0  OXIDES OF NITROGEN

**Item 81.2:**

Compliance Certification shall include the following monitoring:

**Monitoring Type:** INTERMITTENT EMISSION TESTING
**Monitoring Description:**

The owner or operator of a source required to conduct an emission test for combined cycle combustion turbines when firing fuel oil shall submit the following:

1) a compliance test protocol to the department for approval at least 90 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

2) utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title.

**Upper Permit Limit:** 65 parts per million by volume (dry, corrected to 15% O2)
**Reference Test Method:** 40 CFR 60, Appendix A, Method 7
**Monitoring Frequency:** ONCE DURING THE TERM OF THE PERMIT
**Averaging Method:** 1-HOUR AVERAGE
**Reporting Requirements:** SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

**Condition 82:** Compliance Certification

Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

**Item 82.1:**

The Compliance Certification activity will be performed for:

Emission Unit: E-00002  Emission Point: 00023
Process: C06

Regulated Contaminant(s):
CAS No: 007446-09-5  SULFUR DIOXIDE
Item 82.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Description:
Monitoring of fuel sulfur will be conducted as per April 24, 1997 custom fuel monitoring schedule granted by EPA which is as follows:

A. Analysis for the fuel sulfur content of natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. These reference methods are located in 40 CFR 60.335 (d).

B. Should any fuel sulfur monitoring indicate noncompliance with 40 CFR 60.333, the owner or operator shall notify EPA and the New York State Department of Environmental Conservation (NYSDEC) within 15 calendar days of the occurrence(s). Fuel sulfur content monitoring shall be conducted weekly during the interim period while the custom schedule is being re-examined by EPA.

C. Records of sample analysis and fuel pertinent to this custom fuel monitoring schedule shall be retained for a period of three (3) years, and be available for inspection by personnel of federal, state and local air pollution control agencies.

Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.8 percent by weight
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 83: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.332, NSPS Subpart GG

Item 83.1:
The Compliance Certification activity will be performed for:
Item 83.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Monitoring of fuel nitrogen will be conducted as per April 24, 1997 custom fuel monitoring schedule granted by EPA which is as follows:

The monitoring of fuel nitrogen shall not be required while natural gas is the only fuel fired in the gas turbine. Records of sample analysis and fuel supply pertinent to this custom fuel monitoring schedule shall be retained for a period of three (3) years and be available for inspection by personnel of federal, state and local air pollution control agencies.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 84: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

Item 84.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002 Emission Point: 00023
Process: C06 Emission Source: 00023

Regulated Contaminant(s):
CAS No: 007446-09-5 SULFUR DIOXIDE

Item 84.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Air Pollution Control Permit Conditions

Monitoring Description:
No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which contains sulfur in excess of 0.8 percent by weight. The owner shall maintain records which shall indicate that the facility is in compliance with this limitation.

Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.8 percent by weight
Reference Test Method: ASTM
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 85: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.332, NSPS Subpart GG

Item 85.1:
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002
- Emission Point: 00023
- Process: C08

Regulated Contaminant(s):
- CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 85.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Monitoring of fuel nitrogen will be conducted as per April 24, 1997 custom fuel monitoring schedule granted by EPA which is as follows:

The monitoring of fuel nitrogen shall not be required while natural gas is the only fuel fired in the gas turbine. Records of sample analysis and fuel supply pertinent to this custom fuel monitoring schedule shall be retained for a period of three (3) years and be available for inspection by personnel of federal, state and local air pollution control agencies.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 86: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.333, NSPS Subpart GG

Item 86.1:
The Compliance Certification activity will be performed for:

  Emission Unit: E-00002  Emission Point: 00023
  Process: C08

  Regulated Contaminant(s):
  CAS No: 007446-09-5  SULFUR DIOXIDE

Item 86.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
Monitoring of fuel sulfur will be conducted as per April 24, 1997 custom fuel monitoring schedule granted by EPA which is as follows:

A. Analysis for the fuel sulfur content of natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. These reference methods are located in 40 CFR 60.335 (d).

B. Should any fuel sulfur monitoring indicate noncompliance with 40 CFR 60.333, the owner or operator shall notify EPA and the New York State Department of Environmental Conservation (NYSDEC) within 15 calendar days of the occurrence(s). Fuel sulfur content monitoring shall be conducted weekly during the interim period while the custom schedule is being re-examined by EPA.

C. Records of sample analysis and fuel pertinent to this custom fuel monitoring schedule shall be retained for a period of three (3) years, and be available for inspection by personnel of federal, state and local air pollution control agencies.
Parameter Monitored: SULFUR DIOXIDE
Upper Permit Limit: 0.8 percent by weight
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).

Condition 87: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 6 NYCRR 227-2.6 (c)

Item 87.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002 Emission Point: 0021C
Regulated Contaminant(s):
    CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 87.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
The owner or operator of a larger boiler; which has a maximum heat input capacity greater than 100 million Btu per hour and equal to or less than 250 million Btu per hour, is required to conduct an emission test under subdivision (a) of section 227-2.6 must:

(1) submit a compliance test protocol to the department for approval at least 90 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the department; and

(2) utilize the following procedures set forth in 40 CFR part 60, Appendix A or any other method acceptable to the department and the administrator for determining compliance with the appropriate NOx limit in section 227-2.4 of this Subpart, and must, in addition, follow the procedures set forth in Part 202 of this Title: for large and mid-size boilers, utilize Method 7, 7E, or 19 from 40 CFR part 60, Appendix A or another reference method approved by the department.
(3) submit a compliance test report containing the results of the emission test to the department no later than 60 days after completion of the emission test.

Upper Permit Limit: 0.30 pounds per million Btus
Reference Test Method: Approved EPA method
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011. Subsequent reports are due every 6 calendar month(s).

Condition 88: Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable Federal Requirement: 40CFR 60.332, NSPS Subpart GG

Item 88.1:
The Compliance Certification activity will be performed for:

Emission Unit: E-00002
Emission Point: 0023A
Process: C08

Regulated Contaminant(s):
CAS No: 0NY210-00-0 OXIDES OF NITROGEN

Item 88.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Monitoring of fuel nitrogen will be conducted as per April 24, 1997 custom fuel monitoring schedule granted by EPA which is as follows:

The monitoring of fuel nitrogen shall not be required while natural gas is the only fuel fired in the gas turbine. Records of sample analysis and fuel supply pertinent to this custom fuel monitoring schedule shall be retained for a period of three (3) years and be available for inspection by personnel of federal, state and local air pollution control agencies.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011. Subsequent reports are due every 6 calendar month(s).

**Condition 89:** Compliance Certification
Effective between the dates of 08/02/2010 and 08/01/2015

**Applicable Federal Requirement:** 40CFR 60.333, NSPS Subpart GG

**Item 89.1:**
The Compliance Certification activity will be performed for:

- Emission Unit: E-00002
- Emission Point: 0023A
- Process: C08

- Regulated Contaminant(s):
  - CAS No: 007446-09-5 SULFUR DIOXIDE

**Item 89.2:**
Compliance Certification shall include the following monitoring:

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

**Monitoring Description:**
Monitoring of fuel sulfur will be conducted as per April 24, 1997 custom fuel monitoring schedule granted by EPA which is as follows:

A. Analysis for the fuel sulfur content of natural gas shall be conducted using one of the approved ASTM reference methods for the measurement of sulfur in gaseous fuels, or an approved alternative method. These reference methods are located in 40 CFR 60.335 (d).

B. Should any fuel sulfur monitoring indicate noncompliance with 40 CFR 60.333, the owner or operator shall notify EPA and the New York State Department of Environmental Conservation (NYSDEC) within 15 calendar days of the occurrence(s). Fuel sulfur content monitoring shall be conducted weekly during the interim period while the custom schedule is being re-examined by EPA.

C. Records of sample analysis and fuel pertinent to this custom fuel monitoring schedule shall be retained for a period of three (3) years, and be available for inspection by personnel of federal, state and local air pollution control agencies.

**Parameter Monitored:** SULFUR DIOXIDE

**Upper Permit Limit:** 0.8 percent by weight

**Monitoring Frequency:** AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 6 calendar month(s).
STATE ONLY ENFORCEABLE CONDITIONS

**** Facility Level ****

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

Item A: General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5
Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

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

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

Condition 90: Contaminant List
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable State Requirement:ECL 19-0301

Item 90.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 007446-09-5
Name: SULFUR DIOXIDE
Condition 91: Unavoidable noncompliance and violations
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable State Requirement: 6 NYCRR 201-1.4

Item 91.1:
At the discretion of the commissioner a violation of any applicable emission standard for necessary scheduled equipment maintenance, start-up/shutdown conditions and malfunctions or upsets may be excused if such violations are unavoidable. The following actions and recordkeeping and reporting requirements must be adhered to in such circumstances.

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

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

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

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

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

Condition 92: Air pollution prohibited
Effective between the dates of 08/02/2010 and 08/01/2015

Applicable State Requirement: 6 NYCRR 211.2

Item 92.1:
No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.