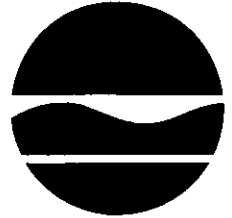


New York State Department of Environmental Conservation
Division of Environmental Permits, Region 2
47-40 21ST Street, Long Island City, NY 11101-5407
Phone: (718) 482-4997 • **FAX:** (718) 482-4975
Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

September 18, 2007

Harry Szarpanski
Assistant Commissioner
NYC Department of Sanitation
Bureau of long Term Export
44 Beaver Street
New York, NY 10004

Re: DEC Permit No. 2-6302-00007/00019-0
Issuance of Permit to Construct and Operate
North Shore Converted Marine Transfer Station
31st Avenue and 122nd Street, College Point, NY

Dear Mr Szarpanski:

Enclosed are your permits for the facility referenced above, please read and follow all conditions carefully.

If you are unable to comply with any provision or have a question regarding a permit condition and compliance with a specific requirement, please contact the program area expert identified below:

- 6 NYCRR Part 360 (Solid Waste Management Facilities), contact Kenneth Brezner at (718) 482-4996.
- 6NYCRR Part 661 (Tidal Wetlands), contact Steve Zahn at (718) 482-6454.
- 6 NYCRR Part 201 (Air Pollution Control), contact Sid Caramintzos at (718) 482-4944.

September 18, 2007

Please place a copy of the enclosed permits and the your certification report for the environmental justice outreach plan in the document repositories established for this project. The repositories are to be maintained for a minimum of four months past the effective date of this permit. If you have a question regarding the administration of your permit or require clarifying aspects to its implementation, please contact Michelle Moore at (718) 482-4997.

Very truly yours,

A handwritten signature in black ink that reads "John F. Cryan". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John F. Cryan
Regional Permit Administrator

Enclosures

cc: K. Brezner, DSHM, R2
S.Caramintzos, DAR, R2
S. Zahn, MR, R2
Law Enforcement
File

DEC PERMIT NUMBER:
2-6302-00007/00019
 [2-6302-00007/00020, 2-6302-00007/00021,
 2-6302-00007/00022]

FACILITY:
 North Shore



PERMIT

Under the Environmental Conservation Law (ECL)

EFFECTIVE DATE:

September 14, 2007

EXPIRATION DATE:

September 14, 2012

TYPE of PERMIT: New Renewal Modification Permit to Reconstruct Permit to Operate

Article 27, Title 7; 6 NYCRR
 360: Solid Waste Management

6 NYCRR 608: Water Quality
 Certification

Article 15, Title 15: Long
 Island Wells

Article 19, Air Pollution Control
 Air State Facility

Article 25: Tidal Wetlands

Article 15, Title 5: Protection
 of Waters

PERMIT ISSUED TO OWNER /OPERATOR:
 NYC Department of Sanitation

TELEPHONE :
 917-237-5501

ADDRESS OF PERMITEE: 125 Worth Street, New York, NY 10013

CONTACT PERSON FOR PERMITTED WORK:
 Harry Szarpanski, Assistant Commissioner
 NYCDOS - Bureau of Long Term Export
 44 Beaver Street, New York, NY 10004

TELEPHONE :
 917-237-5501

PROJECT/FACILITY NAME:
 North Shore Marine Transfer Station

PROJECT/FACILITY ADDRESS: 31st Avenue and 122nd Street, College Point, New York

DESCRIPTION OF AUTHORIZED ACTIVITY:

Construction and Operation of a Converted Marine Transfer Station authorized to accept up to 4,290 tons per day of municipal solid waste (MSW) and 5,280 tons per day MSW under emergency conditions, as specified in Special Condition 17 below. The Converted Marine Transfer Station is designed to facilitate the transfer of solid waste from collection vehicles into sealed and leakproof containers for export by barge and rail. All solid waste transfer and containerization activities occur within a fully enclosed building. The facility is authorized to operate 24 hours a day, Monday through Saturday; closed Sunday, except for prescribed emergency conditions as identified in the Engineering Report and Operations Manual made a part of this permit.

All work associated with the authorized activity described above must comply with all of the applicable provisions of 6 NYCRR Part 360 (Solid Waste Management Regulations), effective 29 September 1997. By acceptance of this permit, the Permittee agrees that this permit is contingent upon strict compliance with the ECL, all applicable regulations, and the General Conditions and Special Conditions included herein.

REGIONAL PERMIT ADMINISTRATOR:
 John F. Cryan

ADDRESS:
 NYSDEC, Division of Env Permits
 47-40 21st Street, Long Island City, NY 11101

AUTHORIZED SIGNATURE:

John F. Cryan

DATE

9/14/07

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NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The Permittee, excepting state or federal agencies, 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 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 compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

GENERAL CONDITIONS

General Condition 1: Facility Inspection by the Department

The subject 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 subject work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The Permittee must provide a person to accompany the Department's representative during an inspection of the subject facility when the Department provides written or verbal notification to the Permittee at least 24 hours prior to such inspection.

A copy of this permit, including all general and special conditions therein, all amendments thereto, and all documents referenced therein must be available for inspection by the Department at the project site at all times that activity associated with the subject work is occurring. Failure to produce a copy of such permit, conditions, amendments, or documents upon request by a Department representative is a violation of this permit.

Any sign provided by the Department with this permit must be protected from the weather and posted in a conspicuous location at the subject work site throughout the period during which any of the subject work occurs.

General Condition 2: Relationship of this Permit to Other Department Orders and Determinations

Unless expressly provided for by the Department, 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.

General Condition 3: Applications For Permit Renewals, Modifications or Transfers

The permittee must submit a separate written application to the Department for permit 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. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator, NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST, LONG ISLAND CITY, NY11101 -5407

General Condition 4: Submission of Renewal Application

The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Tidal Wetlands, Water Quality Certification, Excavation & Fill in Navigable Waters.

GENERAL CONDITIONS
(continued)

General Condition 5: Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit. 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.

General Condition 6: Permit Transfer

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

General Condition 7: Use of Treated Wood

- a. Use of CCA Pressure Treated Wood Chromated Copper Arsenate (CCA) pressure treated wood must be clean and free of CCA surface deposits. Wood with surface deposits must be washed for at least 5 minutes under running water prior to use. The washing shall occur greater than 100 feet from the regulated wetland and/or water body.
- b. No Wood Treated with Penta in Salt Water The use of wood treated with Pentachlorophenol in salt water or salt water-influenced estuaries is strictly prohibited.
- c. Age Creosote Treated Wood Wood treated with creosote must be aged in the open air for at least three months prior to in water use.
- d. Use Pressure Treated Wood Wood used for construction of in-water structures must be pressure treated with a preservative and treatment process approved (stamped or otherwise marked as certified) by the American Wood Preservative Association.

General Condition 8. No Interference With Navigation

There shall be no unreasonable interference with navigation by the work herein authorized.

General Condition 9. Precautions Against Contamination of Waters

All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.

7. That if future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized must not be completed, the owners, must, without expense to the State, and to such extent and in such time and manner as the Department may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.
8. The State of New York must in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.
9. All necessary precautions must be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate, or any other environmentally deleterious materials associated with the project. Any creosote-treated lumber must be weathered for at least six months before it is brought to the subject work site.
10. Any material dredged in association with the work herein permitted must be removed evenly, without leaving large refuse piles, ridges across the bed of a waterway or floodplain, or deep holes that may have a tendency to cause damage to navigable channels, the banks of a waterway, water quality, sediment quality, or benthic habitat.
11. There must be no unreasonable interference with navigation by the work herein authorized.
12. If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the Permittee must, without expense to the State, and to such extent and in such time and manner as the Department may require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.
13. If granted under Article 36, this permit does not signify in any way that the project will be free from flooding.
14. If granted under 6 NYCRR Part 608, the Department hereby certifies that the subject project will not contravene effluent limitations or other limitations or standards under Sections 301, 302, 303, 306, and 307 of the Clean Water Act of 1977 (PL 95-217) provided that all of the conditions listed herein are met.
15. In accordance with Title 19, Part 600.4 © of the New York Code of Rules and Regulations, the Department hereby certifies that the action described and approved in this permit, if located within the Coastal Zone, is consistent to the maximum extent practicable with the policies and purposes of the New York City Waterfront Revitalization Program.

NATURAL RESOURCE PERMIT CONDITIONS
Apply to the Following Permits:
TIDAL WETLANDS; WATER QUALITY CERTIFICATION;
EXCAVATION & FILL IN NAVIGABLE WATERS

SPECIAL CONDITIONS

Plans and Specifications:

16. All construction and operation associated with the subject facility must conform to the following documents, including all attachments and appendices: a) City of New York Department of Sanitation, Final Engineering Report for the North Shore Marine Transfer Station Waste Containerization Facility, Part 360 Permit Application, Volume 1, Volume 2 and Volume 3, prepared by HDR Engineering, Inc./ Hydroqual, Inc. and Greeley and Hansen, dated January 2007; b) Joint Application for Permit, Proposed MTS Conversion Program City of New York Department of Sanitation, prepared by HydroQual, Inc./ HDR Engineering, Inc., dated February 2007; and, c) "Supplemental Information to the Part 360 Permit Application for the North Shore Marine Transfer Station Waste Containerization Facility", dated March 2007. However, if any portion of such documents conflicts with any provision of this permit, such provision must prevail.

Solid Waste Management

17. The Converted Marine Transfer Station is authorized to accept the following quantities of MSW as noted in item 12(b) of the permit application referenced in Special Condition 16 above:
 - A Weekly Limit of 21,840 tons that shall not be exceeded in any calendar week, except for an Upset or Emergency Condition;
 - A Maximum Peak Day Limit of 3,672 tons per day that shall not be exceeded on any day, except for an Upset or Emergency Condition;
 - An Upset Condition Limit of 4,290 tons per day that is the result of an event that reduces the processing capacity of one or more elements of the Permittee's waste management system, such as fire or equipment outages, thereby requiring a temporary reallocation of MSW from other wastesheds to this transfer station for a period of a few days duration;

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SPECIAL CONDITIONS

ADDITIONAL SPECIAL CONDITIONS FOR ARTICLES 27 and 6 NYCRR Part 360 (Solid Waste Management Facilities)
 Article 25 (Tidal Wetlands) and Article 19 (Air Pollution Control)

- An Emergency Condition Limit of 5,280 tons per day caused by public emergency event affecting the entire or a large part of the Permittee's waste management system thereby requiring the Permittee, acting on the basis of protecting the public health, to use the maximum design capacity of this transfer station to remove accumulated refuse from the streets as quickly as possible.
18. The facility storage limit shall be no more than 634 tons (2818 cubic yards) on the facility loading floor and 48 full containers of waste on each of two barges moored at the facility, plus 48 full containers stacked on the facility's pier, for a total of 3,802 tons.
 19. All work, construction and operation associated with the converted marine transfer station and authorized by this permit must comply with all of the applicable provisions of 6 NYCRR Part 360 (Solid Waste Management Regulations), especially Subparts 360-1 and 360-11. However, if any portion of such documents conflicts with any provision of this permit, such provision must prevail.
 20. Ninety days prior to commencement of operations, the Permittee must submit, one copy of a Final Operations and Maintenance Plan (O&M) to the Regional Solid and Hazardous Materials Engineer (hereinafter, "the DEC Engineer") and one copy to the Regional Permit Administrator, for review and approval. The O&M must include the following documents: Final Transfer, Transport, and Disposal Plan with the inclusion of specific waste transport and disposal contractor(s), final disposal sites, inclusive of all necessary authorizations, a Barge Security Plan, Person Overboard Procedure, and Standard Barge Mooring Procedure. The authorizations must include a certified copy of each permit or other authorization pertaining for the operation of the treatment or disposal facility to which the solid waste will be brought, issued by a governmental entity having jurisdiction over that facility. Written approval of the O&M, by the DEC Engineer, is required, prior to operation of the facility.
 21. No less than five business days prior to the dates that the Permittee proposes to commence both the herein-authorized construction and the herein-authorized operation, the Permittee must deliver three completed copies of the attached "Notice of Intent to Commence Construction" or "Notice of Intent to Commence Operation," as appropriate. Two such copies must be so delivered to the Regional Permit Administrator, and one such copy must be so delivered to the DEC Engineer.
 22. Ninety days prior to the commencement of operations, the Permittee must provide, for approval, to the Regional Permit Administrator and the DEC Engineer, a draft financial assurance for the closure of the facility. Such surety instrument must conform to the requirements of 6 NYCRR Part 360-1.12.

Construction:

23. The construction and operation of the subject facility must not result in substantial off-site erosion or sedimentation. Before any soil is disturbed on the subject site, the Permittee must erect erosion and sedimentation controls which are adequate to contain construction material, debris and sediments from entering the waterway, and prevent erosion and sedimentation off-site. Such practices may include, but are not limited to, construction fencing, staked hay bales, silt fencing, floating platforms, netting, and containment booms. Such controls must be maintained until the disturbed soil is stabilized by pavement, or a self-sustaining cover of vegetation that is adequate to prevent erosion and sedimentation on and off such site. Before such controls are removed, the Permittee must remove and properly dispose all sediment that has accumulated at such controls.
24. Should any demolition or construction debris fall into the waterway or enter the tidal wetlands, it must be removed immediately.

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North Shore MTS

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SPECIAL CONDITIONS

ADDITIONAL SPECIAL CONDITIONS FOR ARTICLES 27 and 6 NYCRR Part 360 (Solid Waste Management Facilities)
 Article 26 (Tidal Wetlands) and Article 19 (Air Pollution Control)

25. During any proposed construction, and any proposed excavation in particular, adequate dust suppression and other appropriate health and safety (H&S) measures must be deployed and maintained. A person who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them, must be present throughout project construction and must witness all proposed excavation work. The Permittee must identify a second health and safety person, who will perform the functions identified above as a contingency measure. The instructions of such person must be followed.
26. All excavated soils must be removed off-site for disposal in accordance with all applicable Federal State and Local laws and regulations. Uncontaminated and recognizable concrete, brick and rock may be reused. Reuse of any excavated soils, including sending material to a solid waste management facility for reuse, must receive prior approval from the Department. Department approval also is required if contaminated soils will be used for backfilling.
27. At least 30 days after the completion of the herein-authorized construction, the Permittee must submit a construction certification report, sealed and signed by a professional engineer licensed by the State of New York, that certifies that the construction was completed in accordance with the terms of the permit, tested in accordance with generally accepted engineering practices, and is in conformance with the documents cited in SC #16, above. A set of Record Drawings, noting all changes to the set contained in Volumes II and III, Appendix J of the Engineering Report that are sealed and signed by a professional engineer licensed by the State of New York, must be included with such certification.

Operation:

28. a) Except as provided in subparagraph (b) of this Special Condition, any proposed change, including but not limited to one that would: (i) affect the hours of facility operation; or (ii) increase the volume(s) or vary the type(s) of any waste accepted at the facility; or (iii) increase the parking or queuing of vehicles associated with the subject facility; or (iv) increase the physical extent of the facility; or (v) increase the transportation, noise, odor, dust, or other impact of the facility, requires prior written authorization from the Department in the form of a permit or permit modification. No such change is to be initiated unless and until obtaining such permit or permit modification.
- b) Any proposed change that would be a minor alteration, such as the re-configuration of the facility's physical plant without the addition of any waste processing equipment, may be performed in accordance with the following procedure: no less than 30 days before initiating any such minor structural or operational alteration(s) to the subject facility, the Permittee must provide written notice, in duplicate, to the DEC Engineer and the Regional Permit Administrator. Such notice must include the following: (i) a revised facility site plan, process flow diagram, or other detailed drawing(s), as appropriate, specifically illustrating such change(s); and (ii) a letter which details such change(s); amends the Permittee's Engineering Report or other material, as appropriate; and identifies the Permittee's proposed date to initiate such change(s). The Permittee must not initiate any such change(s) prior to the Permittee's receipt of the DEC Engineer's written authorization for such change(s). Notwithstanding the foregoing, the Department reserves the

SPECIAL CONDITIONS

ADDITIONAL SPECIAL CONDITIONS FOR ARTICLES 27 and 6 NYCRR Part 360 (Solid Waste Management Facilities)
Article 25 (Tidal Wetlands) and Article 19 (Air Pollution Control)

- right to deny or modify the Permittee's requested change, or to require that it be subjected to a full permit or permit modification process.
29. The facility is not authorized to receive catch basin waste, or any industrial waste from NYC Department of Environmental Protection water pollution control plants.
 30. In the event of an involuntary shutdown for more than seven consecutive calendar days, the facility must undergo facility shutdown procedures.
 31. Unauthorized waste must be removed from the facility as soon as practicable, but not to exceed 90 days after discovery, by a person authorized to transport such waste to a facility approved to receive it for treatment, disposal or transfer.
 32. The transfer station shall not knowingly or intentionally accept any mercury-added consumer products in accordance with ECL Article 27 Title 21.
 33. Except as provided in Special Condition 34, all MSW must be removed from the subject facility within 48 hours after receipt. In the event of an contingency (e.g. barge delay), containerized waste may be held for no longer than 4 days.
 34. All MSW shall be containerized within 24 hours of receipt, except for waste received on: i) an operating day immediately prior to a holiday, in which case such waste shall be containerized within 48 hours; or ii) on a Saturday preceding a holiday falling on a Monday, in which case such waste shall be containerized within 72 hours. All floor areas that had MSW on them must be cleared of all waste for a one half hour period and cleaned on days when waste is received and records must be maintained to document maintenance activity.
 35. The Permittee must not change facility operator unless and until the Permittee: (a) submits the information included in the application form "Solid Waste Management Facilities - Corporate Data" as it pertains to the proposed new operator, and (b) receives the Department's written approval of such change.
 36. There shall be no truck queuing on a public street in association with the operation of the subject facility.
 37. Each door of each subject facility building must remain closed, except to allow vehicles, equipment, or personnel to enter or exit such building. Each facility gate must be kept closed whenever the facility is closed., except to allow vehicles, equipment or personnel to enter or exit such gate.
 38. Within 24 hours following the Permittee's receipt of any and all virgin wood, the Permittee must segregate such wood and transfer it to a facility approved by NYS Department of Agriculture and Markets to accept potential Asian Longhorn Beetle host material. For each delivery of material to the herein-permitted facility, which delivery contains virgin wood, the Permittee must maintain a record of (a) the date of such delivery; (b) the origin of the virgin wood in such delivery; (c) the date of the Permittee's disposition of the virgin wood in such delivery, and (d) the manner of the Permittee's disposition of the virgin wood in such delivery. Such record must be maintained on-site for no less than seven years.
 39. Daily facility records must include: (a) the date and time of all inbound and outbound trucks; (b) the license plate number of all outbound trucks; and (c) the company name or state of registration of all outbound trucks. Such records must be kept on-site for at least seven years.
 40. In order to minimize facility truck traffic, the Permittee will use an electronics package with both inbound and outbound scales with a radio-frequency identifier to uniquely identify each truck. A computer will accept and record the data sent from both the inbound and outbound scales, including: date and time of weighing transaction; unique truck identifier; measured weights; and calculated "refuse received" weight. A keypad, ticket printer and intercom system will be installed as a contingency in the event that the automatic identification system is not operable.

SPECIAL CONDITIONS

ADDITIONAL SPECIAL CONDITIONS FOR ARTICLES 27 and 6 NYCRR Part 360 (Solid Waste Management Facilities)
Article 25 (Tidal Wetlands) and Article 19 (Air Pollution Control)

41. The Permittee must send MSW only to the solid waste disposal facilities identified in the document(s) cited in Special Condition 16, above.
42. Prior to the expiration of any State permit required to operate any such disposal facility, the Permittee must submit to the DEC Engineer, in duplicate, a complete copy of the renewal or extension of such permit. If the Permittee fails to submit such copy, or if, for any reason, any such disposal facility loses any governmental authorization required for its operation (including failure to renew permit, permit suspension, permit revocation, facility closure, cessation of operations, or facility abandonment), the Permittee must immediately cease sending MSW to such facility, and must notify the DEC Engineer of such cessation and the reason(s) for same.
43. For each additional disposal facility, to which the Permittee seeks to send MSW, the Permittee must submit the following data to the DEC Engineer: (a) a complete copy of each State authorization required to operate the disposal facility; and (b) a letter from the operator of the disposal facility stating the amount of MSW it would accept from the Permittee, and any conditions it places on such acceptance. Each such additional disposal facility must be approved by the DEC Engineer in writing. For each disposal facility, to which the Permittee seeks to stop sending MSW, the Permittee must submit written notification to the DEC Engineer.
44. Any closure of the subject facility must conform to 6 NYCRR Part 360, and closure plans specified in the Engineering Report noted in Special Condition No.16 above.
45. Within 60 days of the start of facility operations, the Permittee must provide to the DEC Engineer, monthly or by remote, electronic access to waste management records maintained at the facility, such as those specified in Special Conditions 36, 39 and 40, including quantities of waste materials transported, daily throughput and unauthorized waste storage and transport.

Environmental Monitor Account:

46. a) Payment, as required to support the Department's monitoring requirements of the subject facility, must be provided to the Department for the funding of environmental compliance activities related to the construction and operation of the subject facility. Payment is based on annual Environmental Monitor service costs. The Permittee will be billed annually for each fiscal year beginning 1 April 2008. Subsequent annual payments must be made for the duration of this permit in order to maintain an account balance sufficient to meet the next year's anticipated expenses.
- b) The Department may revise the required payment on an annual basis to include all costs of monitoring to the Department. The annual revision may take into account factors such as inflation, salary increases, changes in facility operating hours and procedures, and the need for additional Environmental Monitors. Upon written request by the Permittee, the Department will provide the Permittee with a written explanation of the basis for any such revision. If such revision is required, the Department will notify the Permittee of such revision no later than 60 days in advance of such revision.

SPECIAL CONDITIONS

ADDITIONAL SPECIAL CONDITIONS FOR ARTICLES 27 and 6 NYCRR Part 360 (Solid Waste Management Facilities)
Article 25 (Tidal Wetlands) and Article 19 (Air Pollution Control)

- c) Prior to making its annual payment, the Permittee will receive and have an opportunity to review an annual work plan that the Department will undertake during the year.
- d) Payments must be made within 30 days after the Permittee's receipt of a bill from the Department. The Permittee must deliver such payment to: NYS Department of Environmental Conservation, 625 Broadway - 10th floor, Albany, NY 12233-5012, Attention: Revenue Accounting. Payments for this account must be in addition to any other funds previously paid by the Permittee for environmental monitoring services prior to 1 April 2008.
- e) Failure to make a required environmental monitor payment is a violation of this permit. The Department may take appropriate action to enforce the payment provisions, including suspension or revocation of this permit.
- f) The Environmental Monitor will, when present at the subject site, abide by all of the Permittee's health and safety and operational requirements and policies; provided, however, that this subparagraph must not be construed as limiting the monitor's powers as otherwise provided for by law and must not result in the monitor's being less protected than the monitor would be if he or she were to abide by state and federal health and safety requirements.

NATURAL RESOURCESDREDGING

47. No less than 60 days prior to the start of dredging at any marine transfer station subject to this permit, the Permittee must submit the following documentation, to the New York State Department of Environmental Conservation, Division of Marine Resources, 47-40 21st Street, Long Island City, NY, 11101, Attention: Steve Zahn, Marine Resources Program Manager.
- a) Two copies of a detailed description of the proposed dredging, specific to the location being dredged and inclusive of the following: (i) a bathymetric survey conducted within the previous 3 months; (ii) existing sediment sampling data and a sediment sampling plan including sampling locations and methods, as applicable ; (iii) sampling results in the form of (a) bulk sediment chemistry and grain size analysis and (b) additional testing required for the dredge deposition or placement at an upland location; (iv) an estimate of amount of material to be dredged; (v) a site plan and cross-sectional diagram with axes, mud lines, dredge lines (historical and proposed), wetlands, and all other pertinent information clearly labeled; (vi) the name and address of dredged material placement location as well as a "letter of acceptance" from the named facility (the Permittee is responsible for conducting all sediment sampling and analysis as required by the selected disposal location); and , (vii) a copy of the permit or other authorization authorizing the activity.

Note: For disposal locations located within the State of New York, the sediment analysis data is to be included with the letter identifying the disposal location. For disposal locations outside of the State of New York, letters of acceptance from the identified location and the State appropriate regulatory agency are to be provided with the letter identifying the disposal location

48. The attached "Notice of Intent to Commence Work" is to be completed each time a dredging event is scheduled to occur at the subject marine transfer station.

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SPECIAL CONDITIONS

ADDITIONAL SPECIAL CONDITIONS FOR ARTICLES 27 and 6 NYCRR Part 360 (Solid Waste Management Facilities)
 Article 25 (Tidal Wetlands) and Article 19 (Air Pollution Control)

49. All dredging is to be conducted using an environmental bucket.
- a) An environmental bucket is defined as a bucket constructed with sealing gaskets or overlapping sealed design at the jaws.
 - b) Seals or flaps are to be positioned at locations of vent openings to minimize the loss of material during transport through the water column and into the barge.
 - c) Seals or flaps designed and or installed at the jaws and locations of vent openings must tightly cover these openings while the bucket is lifted through the water column and into the barge.
 - d) Excessive loss of water, sediment or both from the time the bucket breaks the water's surface to the time it crosses the barge gunwale, is not permitted. Should excessive loss of sediment, water or both be observed the Permittee must halt dredging operations and inspect the bucket for defects. Dredging operations are to be suspended until all necessary repairs or replacements are made.
50. The dredging operation is to be conducted in such a manner as to minimize water quality impacts:
- a) Bucket hoist speed shall be limited to approximately 2 feet per second. The bucket shall be lifted in a continuous motion through the water column and into the barge;
 - b) The bucket shall be lowered to the level of the barge gunwales prior to the release of load; and,
 - c) There shall be no barge overflow.
51. Silt curtains must be used during the dredging operation:
- a) Silt curtains are to be configured according to tide directions to minimize dispersal of resuspended sediments;
 - b) Silt curtains shall be inspected daily to ensure proper alignment and function; and,
 - c) Should repairs to silt curtains be necessary, dredging operations must cease until repairs are completed.
52. Upon completion of all dredging activity, authorized by this permit, the attached "Notice of Completion of Work" is to be provided to the Regional Permit Administrator.
53. Within 90 days of the completion of dredging, the Permittee must submit a post-bathymetric survey to the NYS Department of Environmental Conservation, Marine Resources Program Manager.
54. Excavated sediments will be placed directly into the conveyance vehicle in a manner which prevents the material from re-entering the waterway. Side casting (double dipping) or temporary storage of dredge material is prohibited.
55. The following seasonal restrictions shall apply to any new or maintenance dredging activities for the specified site:
- North Shore: prohibited between November 15th and May 31st.
56. All side slopes of the dredged area shall have a maximum 1:3 slope.
57. No structures, temporary or permanent, shall be located on subject pier or float without prior written approval from the Department.

SPECIAL CONDITIONS

ADDITIONAL SPECIAL CONDITIONS FOR ARTICLES 27 and 6 NYCRR Part 360 (Solid Waste Management Facilities)
Article 25 (Tidal Wetlands) and Article 19 (Air Pollution Control)

Natural Resources Mitigation

- 58. Within 60 days of permit issuance, the Permittee shall submit a proposed conceptual mitigation plan for review and approval to the New York State Department of Environmental Conservation's, Marine Resources Program Manager. Said plan shall include the following: sites where appropriate wetland restoration activities could occur; an initial estimate of the potential types and amounts of habitat restoration at the site(s); mechanisms for delivering projects at the site(s) (i.e. NYC Department of Sanitation construction, City agency or other partnerships); and an estimate of when the project(s) may be ready to proceed.
- 59. Within 60 days of the approval of the conceptual mitigation plan by the Department, the Permittee and its agent(s) will meet with the Marine Resources Regional Manager and the Regional Permit Administrator to develop a formal plan of action and time line for the implementation of the proposed plan.
- 60. No later than 120 days after the approval of the conceptual plan by the Department, the Permittee shall submit a formal plan for Departmental review and acceptance. In addition to mitigation project details, said plan shall include a monitoring plan developed and based upon the "NYS Salt Marsh Restoration and Monitoring Guidelines" prepared for the NYS Department of State and NYS Department of Conservation, December 2000.



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Solid Waste Management
Permit ID: 2-6302-00007/00019
Effective Date: 09/14/2007 Expiration Date: 09/14/2012

Permit Type: Air State Facility
Permit ID: 2-6302-00007/00020
Effective Date: 09/14/2007 Expiration Date: No expiration date

Permit Type: Water Quality Certification
Permit ID: 2-6302-00007/00021
Effective Date: 09/14/2007 Expiration Date: No expiration date

Permit Type: Tidal Wetlands
Permit ID: 2-6302-00007/00022
Effective Date: 09/14/2007 Expiration Date: 09/14/2012

Permit Issued To: NYC DEPT OF SANITATION
125 WORTH ST
NEW YORK, NY 10013-4006

Contact: HARRY SZARPANSKI
NYC DEPARTMENT OF SANITATION
44 BEAVER ST 12TH FL
NEW YORK, NY 10004

Facility: NYC-DOS NORTH SHORE MTS
31ST AVE & 122ND ST
QUEENS, NY 11356

Description:

The New York City Department of Sanitation North Shore Marine Transfer Station is a facility which will be used by the City of New York to implement the Solid Waste Management Plan Long Term Export Program for the containerization and transport of managed waste from the City by barge and /or rail.

The facility has emissions from exempt combustion sources and trivial activities and by this State Facility Permit is capping Oxides of Nitrogen emissions to less than 22.5 tons per 12-month rolling period.

This permit contains a listing of the applicable federal state and compliance monitoring requirements for the facility.

New York State Department of Environmental Conservation
Facility DEC ID: 2630200007



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: JOHN F CRYAN
DIVISION OF ENVIRONMENTAL PERMITS
ONE HUNTERS POINT PLAZA, 47-40 21ST STREET
LONG ISLAND CITY, NY 11101-5407

Authorized Signature:

A handwritten signature in black ink, appearing to read "John F. Cryan", written over a horizontal line. The signature is stylized with large loops and a prominent initial "J".

Date: 09/14/07



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 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 compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



PAGE LOCATION OF CONDITIONS

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DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

- 3 Submission of application for permit modification or renewal-REGION 2 HEADQUARTERS



DEC GENERAL CONDITIONS

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

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

Item 3.1:

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

Item 3.2:

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

Item 3.3:

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

New York State Department of Environmental Conservation
Facility DEC ID: 2630200007



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

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal-REGION 2
HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:

NYSDEC Regional Permit Administrator
Region 2 Headquarters
Division of Environmental Permits
1 Hunters Point Plaza, 4740 21st Street
Long Island City, NY 11101-5407
(718) 482-4997

New York State Department of Environmental Conservation
Permit ID: 2-6302-00007/00020 Facility DEC ID: 2630200007



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NYC DEPT OF SANITATION
125 WORTH ST
NEW YORK, NY 10013-4006

Facility: NYC-DOS NORTH SHORE MTS
31ST AVE & 122ND ST
QUEENS, NY 11356

Authorized Activity By Standard Industrial Classification Code:
4212 - LOCAL/TRUCKING WITHOUT STORAGE
4953 - REFUSE SYSTEMS

Permit Effective Date: 09/14/2007

Permit Expiration Date: No expiration date.



PAGE LOCATION OF CONDITIONS

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FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- | | |
|----|--|
| 7 | 1 6NYCRR 201-6.5(c)(3)(ii): Compliance Demonstration |
| 9 | 2 6NYCRR 201-6.5(e): Compliance Demonstration |
| 10 | 3 6NYCRR 201-7.2: Facility Permissible Emissions |
| 11 | *4 6NYCRR 201-7.2: Capping Monitoring Condition |
| 12 | 5 6NYCRR 225.1(a)(3): Compliance Demonstration |
| 13 | 6 6NYCRR 225.1(a)(3): Compliance Demonstration |
| 13 | 7 6NYCRR 227-1.3(a): Compliance Demonstration |

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- | | |
|----|--|
| 16 | 8 ECL 19-0301: Contaminant List |
| 17 | 9 6NYCRR 201-1.4: Unavoidable noncompliance and violations |
| 18 | 10 6NYCRR 201-5: Hollow permit. |
| 18 | 11 6NYCRR 211.2: Air pollution prohibited |

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS
****** Facility Level ******

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

Item A: Sealing - 6NYCRR Part 200.5

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

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

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

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

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

Item C: Maintenance of Equipment - 6NYCRR Part 200.7

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



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

If an existing emission source was subject to the permitting requirements of 6NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

- (a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.
- (b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

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

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

- (a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
 - (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
 - (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
 - (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- (b) In any enforcement proceeding, the facility owner and/or operator seeking to establish the occurrence of an emergency has the burden of proof.
- (c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

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Item F: Recycling and Salvage - 6NYCRR Part 201-1.7

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

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

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

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

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

Item I: Proof of Eligibility for Sources Defined as Trivial Activities - 6 NYCRR Part 201-3.3(a)

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

Item J: Required Emission Tests - 6 NYCRR Part 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend

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or deny an operating permit. Notification and acceptable procedures are specified in 6NYCRR Part 202-1.

Item K: Visible Emissions Limited - 6 NYCRR Part 211.3
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.

Item L: Open Fires - 6 NYCRR Part 215
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, rubbish for salvage, or rubbish generated by industrial or commercial activities.

Item M: 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 N: 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.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.



Condition 1: Compliance Demonstration
Effective between the dates of 09/14/2007 and Permit Expiration Date

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

Item 1.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 1.2:

Compliance Demonstration 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.

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(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

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the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 2: Compliance Demonstration

Effective between the dates of 09/14/2007 and Permit Expiration Date

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

Item 2.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

i. Compliance certifications shall contain:

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

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

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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:

Hunters Point Plaza
47-40 21st Street
Long Island City, NY 11101-5407

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 every calendar year.

Condition 3: Facility Permissible Emissions
Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 3.1:

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: 45,000 pounds per year
Name: OXIDES OF NITROGEN

Condition 4: Capping Monitoring Condition
Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 4.1:

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

6NYCRR 201-6

Item 4.2:

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

Item 4.3:

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 4.4:

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 4.5:

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 4.6:

The Compliance Demonstration activity will be performed for the Facility.

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

Item 4.7:



Compliance Demonstration shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The NOx (oxides of nitrogen) emissions are capped at 22.5 tons per year.

The owner or operator shall maintain a record of the quantity of each fuel fired at the facility. Also, the owner or operator shall calculate (based on the fuel quantity) using the following formula:

$$R(0.075) + D(0.02) + G(100) + E(0.44) + N(3400) < 45,000 \text{ lbs/yr of Oxides of Nitrogen emissions.}$$

Where:

R = 12-month rolling total of residual oil fired (from boilers) in gals/yr

D = 12-month rolling total of distillate oil fired (from boilers) in gals/yr

G = 12-month rolling total of natural gas fired (from boilers) in MMSCF/yr

E = 12-month rolling total of distillate oil fired (from engines) in gals/yr

N = 12-month rolling total of natural gas fired (from engines) in MMSCF/yr

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 22.5 tons per year

Monitoring Frequency: MONTHLY

Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 5: Compliance Demonstration
Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225.1(a)(3)

Item 5.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 5.2:



Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any distillate oil which has sulfur content greater than 0.20 percent by weight. 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: 0.20 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (ANNIVERSARY)

Initial Report Due: 04/12/2008 for the period 09/14/2007 through 03/13/2008

Condition 6: Compliance Demonstration
Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable Federal Requirement: 6NYCRR 225.1(a)(3)

Item 6.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 6.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person shall sell, offer for sale, purchase or use any residual oil which has sulfur content greater than 0.30 percent by weight. 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: NUMBER 6 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.30 percent by weight

Monitoring Frequency: PER DELIVERY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2008.

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

Condition 7: Compliance Demonstration
Effective between the dates of 09/14/2007 and Permit Expiration Date

New York State Department of Environmental Conservation

Permit ID: 2-6302-00007/00020

Facility DEC ID: 2630200007



Applicable Federal Requirement: 6NYCRR 227-1.3(a)

Item 7.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 7.2:

Compliance Demonstration shall include the following monitoring:

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

Monitoring Description:

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

The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

The permittee will conduct observations of visible emissions from the emission unit, process, etc. to which this condition applies at the monitoring frequency stated below while the process is in operation. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Monitoring Frequency: DAILY

Averaging Method: 6-MINUTE AVERAGE (METHOD 9)

New York State Department of Environmental Conservation
Permit ID: 2-6302-00007/00020 Facility DEC ID: 2630200007



Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION



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: Public Access to Recordkeeping for Facilities With State Facility Permits - 6NYCRR Part 201-1.10(a)
Where emission source owners and/or operators keep records pursuant to compliance with the operational flexibility requirements of 6 NYCRR Subpart 201-5.4(b)(1), and/or the emission capping requirements of 6 NYCRR Subparts 201-7.2(d), 201-7.3(f), 201-7.3(g), 201-7.3(h)(5), 201-7.3(i) and 201-7.3(j), the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records. Emission source owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department of receipt of the request.

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

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

STATE ONLY APPLICABLE REQUIREMENTS
The following conditions are state only enforceable.

Condition 8: Contaminant List

New York State Department of Environmental Conservation

Permit ID: 2-6302-00007/00020

Facility DEC ID: 2630200007



Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable State Requirement: ECL 19-0301

Item 8.1:

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

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

Condition 9: Unavoidable noncompliance and violations

Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-1.4

Item 9.1:

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

New York State Department of Environmental Conservation

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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 10: Hollow permit.

Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 201-5

Item 10.1: This is a synthetic minor hollow permit, where all of the sources associated with this facility are either exempt from permitting or trivial in size. The permittee has accepted a cap below the emissions applicability thresholds of Title V. Neither the application nor the permit contain emission unit, emission point, process, or source data.

Condition 11: Air pollution prohibited

Effective between the dates of 09/14/2007 and Permit Expiration Date

Applicable State Requirement: 6NYCRR 211.2

Item 11.1:

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.

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. ***
 READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 263020007 Facility NYC-DOS NORTH SHORE MTS
 Location 31ST AVE & 122ND ST QUEENS, NY 11356
 Permit ID 2-6302-00007/00020 Application Recv'd 11/17/2004 Renewal No: 0

Permit Type ASF Status Issued
 Compliance Assurance Monitoring

Monitored Parameter		Lower Limit	Upper Limit	Units	Activity Type
Cond	Regulated Contaminant				Reporting Frequency
Num	Process Material				Monitoring Frequency
					Averaging Method

RECORD KEEPING/MAINTENANCE PROCEDURES
 SEMI-ANNUALLY (CALENDAR)

AS REQUIRED - SEE PERMIT 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 AND INCIDENCES 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

Summary of Compliance Requirements

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DEC ID 2630200007 Facility NYC-DOS NORTH SHORE MTS
 Location 31ST AVE & 122ND ST QUEENS, NY 11356
 Permit ID 2-6302-00007/00020 Application Recv'd 11/17/2004 Renewal No: 0
 Permit Type ASF Status Issued

Compliance Assurance Monitoring		Activity Type	
Monitored Parameter	Upper Limit	Reporting Frequency	Monitoring Frequency
Cond Num	Lower Limit	Reporting Frequency	Averaging Method

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.

Summary of Compliance Requirements

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DEC ID 2630200007 Facility NYC-DOS NORTH SHORE MTS
 Location 31ST AVE & 122ND ST QUEENS, NY 11356
 Permit ID 2-6302-00007/00020 Application Recv'd 11/17/2004 Renewal No: 0
 Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter	Regulated Contaminant	Process Material	Lower Limit	Upper Limit	Units	Activity Type
							Reporting Frequency

RECORD KEEPING/MAINTENANCE PROCEDURES
 ANNUALLY (CALENDAR)
 ANNUALLY

2

 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

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. ***
 READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2630200007 Facility NYC-DOS NORTH SHORE MTS
 Location 31ST AVE & 122ND ST QUEENS, NY 11356
 Permit ID 2-6302-00007/00020 Application Recv'd 11/17/2004 Renewal No: 0
 Permit Type ASF Status Issued

Compliance Assurance Monitoring

Cond Num	Monitored Parameter	Lower Limit	Upper Limit	Units	Activity Type		
					Reporting Frequency	Monitoring Frequency	Averaging Method
	Regulated Contaminant						
	Process Material						

THE ADDRESS FOR THE RAPCE IS AS FOLLOWS:

HUNTERS POINT PLAZA
 47-40 21ST STREET
 LONG ISLAND CITY, NY 11101-5407

THE ADDRESS FOR THE BOA IS AS FOLLOWS:

NYSDEC
 BUREAU OF QUALITY ASSURANCE
 625 BROADWAY
 ALBANY, NY 12233-3258

4	CAP	OXIDES OF NITROGEN	22.5	MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
		OXIDES OF NITROGEN	tons per year	ANNUALLY (CALENDAR)
		*****		MONTHLY
		THE NOX (OXIDES OF NITROGEN) EMISSIONS ARE CAPPED AT 22.5 TONS PER YEAR.		ANNUAL MAXIMUM ROLLED MONTHLY
		THE OWNER OR OPERATOR SHALL MAINTAIN A RECORD OF THE QUANTITY OF EACH FUEL FIRED AT THE FACILITY. ALSO, THE OWNER OR OPERATOR SHALL CALCULATE (BASED ON THE FUEL QUANTITY) USING THE FOLLOWING FORMULA:		
		$R(0.075) + D(0.02) + G(100) + E(0.44) + N(3400) < 45,000$ LBS/YR OF OXIDES OF NITROGEN EMISSIONS.		
		WHERE: Y n		
		R = 12-MONTH ROLLING TOTAL OF RESIDUAL OIL FIRED (FROM BOILERS) IN GALS/YR		
		D = 12-MONTH ROLLING TOTAL OF DISTILLATE OIL FIRED (FROM BOILERS) IN GALS/YR		
		G = 12-MONTH ROLLING TOTAL OF NATURAL GAS FIRED (FROM BOILERS) IN MMSCF/YR		
		E = 12-MONTH ROLLING TOTAL OF DISTILLATE OIL FIRED (FROM ENGINES) IN GALS/YR		
		N = 12-MONTH ROLLING TOTAL OF NATURAL GAS FIRED (FROM ENGINES) IN MMSCF/YR		

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2630200007 Facility NYC-DOS NORTH SHORE MTS
 Location 31ST AVE & 122ND ST QUEENS, NY 11356
 Permit ID 2-6302-00007/00020 Application Recv'd 11/17/2004 Renewal No: 0
 Permit Type ASF Status Issued

Compliance Assurance Monitoring

Monitored Parameter	Units		Activity Type
	Lower Limit	Upper Limit	
Regulated Contaminant			Reporting Frequency
Process Material			Monitoring Frequency
			Averaging Method

5 SULFUR CONTENT

 DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
 NO PERSON SHALL SELL, OFFER FOR SALE, PURCHASE OR USE ANY DISTILLATE OIL WHICH HAS SULFUR CONTENT GREATER THAN 0.20 PERCENT BY WEIGHT. 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.
 percent by weight
 0.20
 WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
 SEMI-ANNUALLY (ANNIVERSARY)
 PER DELIVERY

6 SULFUR CONTENT

 NUMBER 6 OIL
 NO PERSON SHALL SELL, OFFER FOR SALE, PURCHASE OR USE ANY RESIDUAL OIL WHICH HAS SULFUR CONTENT GREATER THAN 0.30 PERCENT BY WEIGHT. 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.
 percent by weight
 0.30
 WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
 SEMI-ANNUALLY (CALENDAR)
 PER DELIVERY

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF THE MONITORING REQUIREMENTS. ***
 READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 263020007 Facility NYC-DOS NORTH SHORE MTS

Location 31ST AVE & 122ND ST QUEENS, NY 11356

Permit ID 2-6302-00007/00020 Application Recv'd 11/17/2004 Renewal No: 0

Permit Type ASF Status Issued

Compliance Assurance Monitoring

Monitored Parameter	Lower Limit	Upper Limit	Units	Activity Type
				Reporting Frequency
Conduct				
Regulated Contaminant				
Process Material				

7 OPACITY 20
 *** percent

 NO PERSON SHALL OPERATE A STATIONARY COMBUSTION INSTALLATION WHICH EXHIBITS GREATER THAN 20 PERCENT OPACITY (SIX MINUTE AVERAGE), EXCEPT FOR ONE-SIX-MINUTE PERIOD PER HOUR OF NOT MORE THAN 27 PERCENT OPACITY.
 THE DEPARTMENT RESERVES THE RIGHT TO PERFORM OR REQUIRE THE PERFORMANCE OF A METHOD 9 OPACITY EVALUATION AT ANY TIME DURING FACILITY OPERATION.
 THE PERMITTEE WILL CONDUCT OBSERVATIONS OF VISIBLE EMISSIONS FROM THE EMISSION UNIT, PROCESS, ETC. TO WHICH THIS CONDITION APPLIES AT THE MONITORING FREQUENCY STATED BELOW WHILE THE PROCESS IS IN OPERATION. THE PERMITTEE WILL INVESTIGATE, IN A TIMELY MANNER, ANY INSTANCE WHERE THERE IS CAUSE TO BELIEVE THAT VISIBLE EMISSIONS HAVE THE POTENTIAL TO EXCEED THE OPACITY STANDARD.
 THE PERMITTEE SHALL INVESTIGATE THE CAUSE, MAKE ANY NECESSARY CORRECTIONS, AND VERIFY THAT THE EXCESS VISIBLE EMISSIONS PROBLEM HAS BEEN CORRECTED. IF VISIBLE EMISSIONS WITH THE POTENTIAL TO EXCEED THE STANDARD CONTINUE, THE PERMITTEE WILL CONDUCT A METHOD 9 ASSESSMENT WITHIN THE NEXT OPERATING DAY OF THE SOURCES ASSOCIATED WITH THE POTENTIAL NONCOMPLIANCE TO DETERMINE THE DEGREE OF OPACITY AND WILL NOTIFY THE NYSDEC IF THE METHOD 9 TEST INDICATES THAT THE OPACITY STANDARD IS NOT MET.
 RECORDS OF VISIBLE EMISSIONS OBSERVATIONS (OR ANY FOLLOW-UP METHOD 9 TESTS), INVESTIGATIONS AND CORRECTIVE ACTIONS WILL BE KEPT ON-SITE. SHOULD THE DEPARTMENT DETERMINE THAT PERMITTEE'S RECORD KEEPING FORMAT IS INADEQUATE TO DEMONSTRATE COMPLIANCE WITH THIS CONDITION, IT SHALL PROVIDE WRITTEN NOTICE TO THE PERMITTEE STATING THE INADEQUACIES, AND PERMITTEE SHALL HAVE 90 DAYS TO REVISE ITS PROSPECTIVE RECORD KEEPING FORMAT IN A MANNER ACCEPTABLE TO THE DEPARTMENT.

MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS REQUIRED - SEE MONITORING DESCRIPTION DAILY
 6-MINUTE AVERAGE (METHOD 9)

Summary of Compliance Requirements

*** THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCISE VIEW OF FACILITY PERMISSIBLE EMISSIONS. READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. ***

DEC ID 2630200007 Facility NYC-DOS NORTH SHORE MTS

Location 31ST AVE & 122ND ST QUEENS, NY 11356

Permit ID 2-6302-00007/00020 Application Recv'd 11/17/2004 Renewal No: 0

Permit Type ASF Status Issued

Facility Permissible Emissions

0NY210-00-0 OXIDES OF NITROGEN

45000 pounds per year