

**RIPUC Use Only**

Date Application Received: \_\_\_/\_\_\_/\_\_\_  
Date Review Completed: \_\_\_/\_\_\_/\_\_\_  
Date Commission Action: \_\_\_/\_\_\_/\_\_\_  
Date Commission Approved: \_\_\_/\_\_\_/\_\_\_

GIS Certification #:  
\_\_\_\_\_

## RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

**The Standard Application Form  
Required of all Applicants for Certification of Eligibility of Renewable Energy Resource  
(Version 2 – August 30, 2006)**

**STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION  
Pursuant to the Renewable Energy Act  
Section 39-26-1 et. seq. of the General Laws of Rhode Island**

**NOTICE:**

When completing this Renewable Energy Resources Eligibility Form and any applicable Appendices, please refer to the State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations, Effective Date: January 1, 2006), and the associated RES Certification Filing Methodology Guide. All applicable regulations, procedures and guidelines are available on the Commission's web site: [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html). Also, all filings must be in conformance with the Commission's Rules of Practice and Procedure, in particular, Rule 1.5, or its successor regulation, entitled "Formal Requirements as to Filings."

- Please complete the Renewable Energy Resources Eligibility Form and Appendices using a typewriter or black ink.

- Please submit one original and three copies of the completed Application Form, applicable Appendices and all supporting documentation to the Commission at the following address:

Rhode Island Public Utilities Commission  
89 Jefferson Blvd  
Warwick, RI 02888

Attn: Renewable Energy Resources Eligibility

In addition to the paper copies, electronic/email submittals are required under Commission regulations. Such electronic submittals should be sent to: Luly E. Massaro, Commission Clerk at [lmassaro@puc.state.ri.us](mailto:lmassaro@puc.state.ri.us)

- In addition to filing with the Commission, Applicants are required to send, electronically or electronically and in paper format, a copy of the completed Application including all attachments and supporting documentation, to the Division of Public Utilities and Carriers and to all interested parties. A list of interested parties can be obtained from the Commission's website at [www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html).

- Keep a copy of the completed Application for your records.

- The Commission will notify the Authorized Representative if the Application is incomplete.

- Pursuant to Section 6.0 of the RES Regulations, the Commission shall provide a thirty (30) day period for public comment following posting of any administratively complete Application.

- Please note that all information submitted on or attached to the Application is considered to be a public record unless the Commission agrees to deem some portion of the application confidential after consideration under section 1.2(g) of the Commission's Rules of Practice and Procedure.

- In accordance with Section 6.2 of the RES Regulations, the Commission will provide prospective reviews for Applicants seeking a preliminary determination as to whether a facility would be eligible prior to the formal certification process described in Section 6.1 of the RES Regulations. Please note that space is provided on the Form for applicant to designate the type of review being requested.

- Questions related to this Renewable Energy Resources Eligibility Form should be submitted in writing, preferably via email and directed to: Luly E. Massaro, Commission Clerk at [lmassaro@puc.state.ri.us](mailto:lmassaro@puc.state.ri.us)

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**SECTION I: Identification Information**

1.1 Name of Generation Unit (sufficient for full and unique identification):

\_\_\_\_\_ Seneca Falls \_\_\_\_\_

1.2 Type of Certification being requested (check one):

Standard Certification       Prospective Certification (Declaratory Judgment)

1.3 This Application includes: (Check all that apply)<sup>1</sup>

APPENDIX A: Authorized Representative Certification for Individual Owner or Operator

APPENDIX B: Authorized Representative Certification for Non-Corporate Entities Other Than Individuals

APPENDIX C: Existing Renewable Energy Resources

APPENDIX D: Special Provisions for Aggregators of Customer-sited or Off-grid Generation Facilities

APPENDIX E: Special Provisions for a Generation Unit Located in a Control Area Adjacent to NEPOOL

APPENDIX F: Fuel Source Plan for Eligible Biomass Fuels

1.4 Primary Contact Person name and title: Stephanie Hamilton, Contracts Administrator

1.5, Primary Contact Person address and contact information:

Address: Conservation Services Group  
40 Washington St  
Westborough, MA 01581

Phone: 508-836-9500 x13285 Fax: 508-836-3181

Email: Stephanie.Hamilton@csgroup.com

1.6 Backup Contact Person name and title: Deborah.Razza, Operations Coordinator

1.7 Backup Contact Person address and contact information:

Address: Conservation Services Group  
40 Washington St  
Westborough, MA 01581

Phone: 508-836-9500 x13386 Fax: 508-836-3181

Email: Deborah.Razza@csgroup.com

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<sup>1</sup> Please note that all Applicants are required to complete the Renewable Energy Resources Eligibility Standard Application Form and all of the Appendices that apply to the Generation Unit or Owner or Operator that is the subject of this Form. Please omit Appendices that do not apply.

1.8 Name and Title of Authorized Representative (*i.e.*, the individual responsible for certifying the accuracy of all information contained in this form and associated appendices, and whose signature will appear on the application):

\_\_\_\_\_  
Stephen Cowell, CEO Conservation Services Group\_\_\_\_\_

Appendix A or B (as appropriate) completed and attached?  Yes  No  N/A

1.9 Authorized Representative address and contact information:

Address: 40 Washington st  
Westborough, MA 01581

Phone: 508-836-9500 Fax: 508-836-3181

Email: \_\_\_\_\_

1.10 Owner name and title: Seneca Energy II LLC  
Peter Zeliff, President and CEO

1.11 Owner address and contact information:

Address: 2999 Judge Rd  
Oakfield, NY 14125

Phone: 518-948-8580 Fax: 518-948-8584

Email: PZeliff@innovativeenergysystems.com

1.12 Owner business organization type (check one):

Individual

Partnership

Corporation

Other: \_\_\_\_\_

1.13 Operator name and title: Innovative Energy Systems, Inc.  
Peter Zeliff, President and CEO

1.14 Operator address and contact information:

Address: 2999 Judge Rd  
Oakfield, NY 14125

Phone: 518-948-8580 Fax: 518-948-8584

Email: \_\_\_\_\_

1.15 Operator business organization type (check one):

Individual

Partnership

Corporation

Other: \_\_\_\_\_

**SECTION II: Generation Unit Information, Fuels, Energy Resources and Technologies**

- 2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): \_\_\_\_\_ 32528 –MA / 32513 – CT \_
- 2.2 Generation Unit Nameplate Capacity: \_\_\_\_\_ 16.00 \_\_\_\_\_ MW
- 2.3 Maximum Demonstrated Capacity: \_\_\_\_\_ MW
- 2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*
- Direct solar radiation
  - The wind
  - Movement of or the latent heat of the ocean
  - The heat of the earth
  - Small hydro facilities
  - Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.
  - Biomass facilities using unlisted biomass fuel
  - Biomass facilities, multi-fueled or using fossil fuel co-firing
  - Fuel cells using a renewable resource referenced in this section
- 2.5 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility’s aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.31*
- ← check this box to certify that the above statement is true
  - N/A or other (please explain) \_\_\_\_\_
- 2.6 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.31*
- ← check this box to certify that the above statement is true
  - N/A or other (please explain) \_\_\_\_\_
- 2.7 If you checked one of the Biomass facilities boxes in Section 2.1 above, please respond to the following:
- A. Please specify the fuel or fuels used or to be used in the Unit: \_\_\_\_\_  
Methane Gas
- B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.  
Appendix F completed and attached?                      X Yes     No     N/A

2.6 Has the Generation Unit been certified as a Renewable Energy Resource for eligibility in another state's renewable portfolio standard?

Yes  No If yes, please attach a copy of that state's certifying order.

Copy of State's certifying order attached?  Yes  No  N/A

### SECTION III: Commercial Operation Date

Please provide documentation to support all claims and responses to the following questions:

3.1 Date Generation Unit first entered Commercial Operation: 03 / 06 / 1996 at the site.

3.2 Is there an Existing Renewable Energy Resource located at the site of Generation Unit?

Yes

No

3.3 If the date entered in response to question 3.1 is earlier than December 31, 1997 or if you checked "Yes" in response to question 3.2 above, please complete Appendix C.

Appendix C completed and attached?  Yes  No  N/A

3.4 Was all or any part of the Generation Unit used on or before December 31, 1997 to generate electricity at any other site?

Yes

No

3.5 If you checked "Yes" to question 3.4 above, please specify the power production equipment used and the address where such power production equipment produced electricity (attach more detail if the space provided is not sufficient):

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### SECTION IV: Metering

4.1 Please indicate how the Generation Unit's electrical energy output is verified (check all that apply):

ISO-NE Market Settlement System

Self-reported to the NEPOOL GIS Administrator

Other (please specify below and see Appendix D: Eligibility for Aggregations):

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Appendix D completed and attached?  Yes  No  N/A

**SECTION V: Location**

5.1 Please check one of the following that apply to the Generation Unit:

- Grid Connected Generation
- Off-Grid Generation (not connected to a utility transmission or distribution system)
- Customer Sited Generation (interconnected on the end-use customer side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer)

5.2 Generation Unit address: \_\_\_\_\_  
\_\_\_\_\_ 1786 Salcman Rd. Waterloo, NY 13165 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5.3 Please provide the Generation Unit's geographic location information:

- A. Universal Transverse Mercator Coordinates: \_\_\_\_\_
- B. Longitude/Latitude: \_\_\_ W 76 51 46 \_\_\_ / \_\_\_ N 42 54 17 \_\_\_

5.4 The Generation Unit located: (please check the appropriate box)

- In the NEPOOL control area
- In a control area adjacent to the NEPOOL control area
- In a control area other than NEPOOL which is not adjacent to the NEPOOL control area ← *If you checked this box, then the generator does not qualify for the RI RES – therefore, please do not complete/submit this form.*

5.5 If you checked “In a control area adjacent to the NEPOOL control area” in Section 5.4 above, please complete Appendix E.

Appendix E completed and attached?                       Yes     No     N/A

**SECTION VI: Certification**

6.1 Please attach documentation, using one of the applicable forms below, demonstrating the authority of the Authorized Representative indicated in Section 1.8 to certify and submit this Application.

**Corporations**

If the Owner or Operator is a corporation, the Authorized Representative shall provide **either**:

- (a) Evidence of a board of directors vote granting authority to the Authorized Representative to execute the Renewable Energy Resources Eligibility Form, **or**
- (b) A certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Renewable Energy Resources Eligibility Form or is otherwise authorized to legally bind the corporation in like matters.

Evidence of Board Vote provided?  Yes  No  N/A

Corporate Certification provided?  Yes  No  N/A

**Individuals**

If the Owner or Operator is an individual, that individual shall complete and attach APPENDIX A, or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Renewable Energy Resources Eligibility Form.

Appendix A completed and attached?  Yes  No  N/A

**Non-Corporate Entities**


(Proprietorships, Partnerships, Cooperatives, etc.) If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX B or execute a resolution indicating that the Authorized Representative named in Section 1.8 has authority to execute the Renewable Energy Resources Eligibility Form or to otherwise legally bind the non-corporate entity in like matters.

Appendix B completed and attached?  Yes  No  N/A

6.2 Authorized Representative Certification and Signature:

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein and based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted on this Renewable Energy Resources Eligibility Form. The Renewable Energy Resources Eligibility Form includes the Standard Application Form and all required Appendices and attachments. I acknowledge that the Generation Unit is obligated to and will notify the Commission promptly in the event of a change in a generator's eligibility status (including, without limitation, the status of the air permits) and that when and if, in the Commission's opinion, after due consideration, there is a material change in the characteristics of a Generation Unit or its fuel stream that could alter its eligibility, such Generation Unit must be re-certified in accordance with Section 9.0 of the RES Regulations. I further acknowledge that the Generation Unit is obligated to and will file such quarterly or other reports as required by the Regulations and the Commission in its certification order. I understand that the Generation Unit will be immediately de-certified if it fails to file such reports.

Signature of Authorized Representative:

SIGNATURE:	DATE:
 _____ CEO _____ (Title)	10-24-06 _____



**APPENDIX C**

**(Required of all Applicants with Generation Units at the Site of Existing Renewable Energy Resources)**

**STATE OF RHODE ISLAND  
PUBLIC UTILITIES COMMISSION**

**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM**

**Pursuant to the Renewable Energy Act  
Section 39-26-1 et. seq. of the General Laws of Rhode Island**

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If the Generation Unit: (1) first entered into commercial operation before December 31, 1997; or (2) is located at the exact site of an Existing Renewable Energy Resource, please complete the following and attach documentation, as necessary to support all responses:

- C.1 If an Existing Renewable Energy Resource is/was located at the site, has such Existing Renewable Energy Resource been retired and replaced with the new Generation Unit at the same site?  Yes  No
- C.2 Is the Generation Unit a Repowered Generation Unit (as defined in Section 3.28 of the RES Regulations) which uses Eligible Renewable Energy Resources and which first entered commercial operation after December 31, 1997 at the site of an existing Generation Unit?  Yes  No
- C.3 If you checked "Yes" to question C.2 above, please provide documentation to support that the entire output of the Repowered Generation Unit first entered commercial operation after December 31, 1997.
- C.4 Is the Generation Unit a multi-fuel facility in which an Eligible Biomass Fuel is first co-fired with fossil fuels after December 31, 1997?  Yes  No
- C.5 If you checked "Yes" to question C.4 above, please provide documentation to support that the renewable energy fraction of the energy output first occurred after December 31, 1997.
- C.6 Is the Generation Unit an Existing Renewable Energy Resource other than an Intermittent Resource (as defined in Section 3.9 and 3.14 of the RES Regulations)?  Yes  No
- C.7 If you checked "Yes" to question C.6 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or

additions of capacity that are sufficient to, were intended to, and can be demonstrated to increase annual electricity output in excess of ten percent (10%). As specified in Section 3.22.v of the RES Regulations, the determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity.

- C.8 Is the Generating Unit an Existing Renewable Energy Resource that is an Intermittent Resource?  Yes  No
- C.9 If you checked “Yes” to question C.8 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and have demonstrated on a normalized basis to increase annual electricity output in excess of ten percent (10%). The determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity. In no event shall any production that would have existed during the Historical Generation Baseline period in the absence of the efficiency improvements or additions to capacity be considered incremental production. Please refer to Section 3.22.vi of the RES Regulations for further guidance.
- C.10 If you checked “Yes” to C.8, provide the single proposed percentage of production to be deemed incremental, attributable to the efficiency improvements or additions of capacity placed in service after December 31, 1997. Please provide backup information sufficient for the Commission to make a determination of this incremental production percentage.
- C.11 If you checked “no” to both C.1 and C.2 above, please complete the following:
- a. Was the Existing Renewable Energy Resource located at the exact site at any time during calendar years 1995 through 1997?  Yes  No
  - b. If you checked “yes” in Subsection (a) above, please provide the Generation Unit Asset Identification Number and the average annual electrical production (MWhs) for the three calendar years 1995 through 1997, or for the first 36 months after the Commercial Operation Date if that date is after December 31, 1994, for each such Generation Unit.
  - c. Please attach a copy of the derivation of the average provided in (b) above, along with documentation support (such as ISO reports) for the information provided in Subsection (b) above. Data must be consistent with quantities used for ISO market settlement.

**APPENDIX E****(Required of all Applicants Located in a Control Area Adjacent to NEPOOL)****STATE OF RHODE ISLAND  
PUBLIC UTILITIES COMMISSION****RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM****Pursuant to the Renewable Energy Act  
Section 39-26-1 et. seq. of the General Laws of Rhode Island**

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Please complete the following and attach documentation, as necessary to support all responses:

E.1 Please indicate in which Control Area adjacent to NEPOOL the Generation Unit is located:

New York

Hydro Quebec

Maritimes (including Northern Maine Independent System Administrator)

E.2 Applicant must provide to the Commission by July 1<sup>st</sup> of each year assurances that the Generation Unit's New Renewable Energy Resources used for compliance with the Rhode Island's Renewable Energy Act during the previous Compliance Year have not otherwise been, nor will be, sold, retired, claimed or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Rhode Island. Such assurances may consist of a report from a neighboring Generation Attribute accounting system or an affidavit from the Generation Unit.

← please check this box to acknowledge this requirement

N/A or other (please explain) \_\_\_\_\_

E.3 Applicant must acknowledge and provide evidence to support that, in accordance with Section 5.1.(ii) of the RES Regulations, the Generation Attributes associated with the Generation Unit shall be applied to the Rhode Island Renewable Energy Standard only to the extent of the energy produced by the Generation Unit that is or will be actually delivered into NEPOOL for consumption by New England customers. Verification of the delivery of such energy from the Generation Unit into NEPOOL will be performed in accordance with subparagraphs (a), (b) and (c) of RES Regulations Section 5.1.(ii).

← please check this box to acknowledge this requirement

N/A or other (please explain) \_\_\_\_\_

**APPENDIX F**  
**Eligible Biomass Fuel Source Plan**  
**(Required of all Applicants Proposing to Use An Eligible Biomass Fuel)**

**STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION**  
**Part of Application for Certificate of Eligibility**  
**RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM**  
**Pursuant to the Renewable Energy Act**  
**Section 39-26-1 et. sq. of the General Laws of Rhode Island**

**Note to Applicants:** Please refer to the RES Certification Filing Methodology Guide posted on the Commission's web site ([www.ripuc.org/utilityinfo/res.html](http://www.ripuc.org/utilityinfo/res.html)) for information, templates and suggestions regarding the types and levels of detail appropriate for responses to specific application items requested below. Also, please see Section 6.9 of the RES Regulations for additional details on specific

The phrase "Eligible Biomass Fuel" (per RES Regulations Section 3.6) means fuel sources including brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips, shavings, slash, yard trimmings, site clearing waste, wood packaging, and other clean wood that is not mixed with other unsorted solid wastes<sup>4</sup>; agricultural waste, food and vegetative material; energy crops; landfill methane<sup>5</sup> or biogas<sup>6</sup>, provided that such gas is collected and conveyed directly to the Generation Unit without use of facilities used as common carriers of natural gas; or neat bio-diesel and other neat liquid fuels that are derived from such fuel sources.

In determining if an Eligible Biomass Generation Unit shall be certified, the Commission will consider if the fuel source plan can reasonably be expected to ensure that only Eligible Biomass Fuels will be used, and in the case of co-firing ensure that only that proportion of generation attributable to an Eligible Biomass Fuel be eligible. Certification will not be granted to those Generation Units with fuel source plans the Commission deems inadequate for these purposes.

This Appendix must be attached to the front of Applicant's Fuel Source Plan required for Generating Units proposing to use an Eligible Biomass Fuel (per Section 6.9 of RES Regulations).

<sup>4</sup> Generation Units using wood sources other than those listed above may make application, as part of the required fuel source plan described in Section 6.9 of the RES Regulations, for the Commission to approve a particular wood source as "clean wood." The burden will be on the applicant to demonstrate that the wood source is at least as clean as those listed in the legislation. Wood sources containing resins, glues, laminates, paints, preservatives, or other treatments that would combust or off-gas, or mixed with any other material that would burn, melt, or create other residue aside from wood ash, will not be approved as clean wood.

<sup>5</sup> Landfill gas, which is an Eligible Biomass Fuel, means only that gas recovered from inside a landfill and resulting from the natural decomposition of waste, and that would otherwise be vented or flared as part of the landfill's normal operation if not used as a fuel source.

<sup>6</sup> Gas resulting from the anaerobic digestion of sewage or manure is considered to be a type of biogas, and therefore an Eligible Biomass Fuel that has been fully separated from the waste stream.

F.1 The attached Fuel Source Plan includes a detailed description of the type of Eligible Biomass Fuel to be used at the Generation Unit.

Detailed description attached? Yes  No  X N/A

Comments: \_\_\_\_\_ Only Landfill Methane Gas is being used \_\_\_\_\_

F.2 If the proposed fuel is "other clean wood," the Fuel Source Plan should include any further substantiation to demonstrate why the fuel source should be considered as clean as those clean wood sources listed in the legislation.

Further substantiation attached?  Yes  No  N/A

Comments: \_\_\_\_\_

F.3 In the case of co-firing with ineligible fuels, the Fuel Source Plan must include a description of (a) how such co-firing will occur; (b) how the relative amounts of Eligible Biomass Fuel and ineligible fuel will be measured; and (c) how the eligible portion of generation output will be calculated. Such calculations shall be based on the energy content of all of the proposed fuels used.

Description attached?  Yes  No  N/A

Comments: \_\_\_\_\_ No Co-firing \_\_\_\_\_

F.4 The Fuel Source Plan must provide a description of what measures will be taken to ensure that only the Eligible Biomass Fuel are used, examples of which may include: standard operating protocols or procedures that will be implemented at the Generation Unit, contracts with fuel suppliers, testing or sampling regimes.

Description provided?  Yes  No  N/A

Comments: \_\_\_\_\_

F.5 Please include in the Fuel Source Plan an acknowledgement that the fuels stored at or brought to the Generation Unit will only be either Eligible Biomass Fuels or fossils used for co-firing and that Biomass Fuels not deemed eligible will not be allowed at the premises of the certified Generation Unit. And please check the following box to certify that this statement is true.

← check this box to certify that the above statement is true

N/A or other (please explain) \_Fuel is generated and collected on site it is not brought to the site and stored \_\_\_\_\_

F.6 If the proposed fuel includes recycled wood waste, please submit documentation that such fuel meets the definition of Eligible Biomass Fuel and also meets material separation, storage, or handling standards acceptable to the Commission and furthermore consistent with the RES Regulations.

Documentation attached?  Yes  No  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_

F.7 Please certify that you will file all reports and other information necessary to enable the Commission to verify the on-going eligibility of the renewable energy generators pursuant to Section 6.3 of the RES Regulations.

← check this box to certify that the above statement is true

N/A or other (please explain) \_\_\_\_\_  
\_\_\_\_\_

F.8 Please attach a copy of the Generation Unit's Valid Air Permit or equivalent authorization.

Valid Air Permit or equivalent attached?  Yes  No  N/A

Comments: \_\_\_\_\_  
\_\_\_\_\_

F.9 Effective date of Valid Air Permit or equivalent authorization:

  10   /   06   /   2005  

F.10 State or jurisdiction issuing Valid Air Permit or equivalent authorization:

  New York State  

### FUEL SOURCE PLAN FOR ELIGIBLE BIOMASS

The Rhode Island Renewable Energy Standard Section 3.6 qualifies landfill gas, as an “eligible biomass fuel.” The   Seneca Falls   facility (the Facility”) will be using landfill gas as the fuel source for the electricity generated by the Facility. The landfill gas used at the Facility is the result of “the natural decomposition of waste, and that would otherwise be vented or flared as part of the landfill’s normal operation if not used as a fuel source.”

To assure that only the eligible landfill gas is used at the Facility, the Facilities generators are monitored twenty four a day by PLC controls and SCADA systems. The Gas is continuously monitored by a gas analyzer and can be viewed by the SCADA system. In additions operators do daily inspections of the generators, as well as take daily samples of the gas with a gas meter to ensure the gas is eligible quality landfill gas.

As for collection and bring only eligible landfill gas to the generators, the Facility is located at the site of the source landfill. The source landfill has a series of gas wells and horizontal collectors that go to a main gas header. The header connects to the Facility were blowers draw the landfill gas to the Facility. No common carrier pipes are used.

The Facility is not “co-fired” with ineligible fuels, only with eligible landfill gas. In addition, only eligible landfill gas is brought to the Facility’s generator.

**Seneca Energy II, LLC**

2999 Judge Road

Oakfield, NY 14125-9771

Phone: (585) 948-8580 FAX: (585) 948-8584



**Certification of Authorized Representative**

August 21, 2006

Rhode Island Public Utilities Commission

89 Jefferson Blvd.

Warwick, RI MA 02888

Attn: Renewable Energy Resources Eligibility

I, Scott A. Henningham, Secretary of Seneca Energy II, LLC., certify that Stephen L. Cowell as CEO Conservation Services Group, Inc. is the Authorized Representative named in Section 1.8 of Renewable Energy Resources Eligibility Form and is authorized to execute The Standard Application Form, or is otherwise authorized to legally bind the corporation in like matters.

Signature:

Scott A. Henningham

Date:

8/23/06



**State Of Connecticut  
Department of Public Utility Control**

**Application for Connecticut Renewable Generator Qualification  
Pursuant to the Renewable Portfolio Standards  
Connecticut General Statutes § 16-1 (26)(27) & 16-245a**

**Please mail a hard copy of the completed application to:  
Louise Rickard, Acting Executive Secretary  
Connecticut Department of Public Utility Control  
Attn: RPS Application  
10 Franklin Square  
New Britain, CT 06051**

**Please Note:**

- Complete an electronic version of the application for a Connecticut Renewable Generator Qualification and mail a hard copy to the address listed above.
- The application is available on the Department's website (<http://www.dpuc.state.ct.us/CTRPSGeneratorApplication.nsf>).
- All information submitted on or attached to the application is considered to be a public record in accordance with Connecticut General Statutes 1-210 of The Freedom of Information Act, except for any confidential materials filed under protective order.
- Applicants are responsible for promptly notifying the Department of any future changes in information contained within this application.
- Please keep a copy of the application for your records.
- If you should have any questions, please contact David Goldberg via email [david.goldberg@po.state.ct.us](mailto:david.goldberg@po.state.ct.us) or directly at (860) 827-2886.

**Section 1: Identification Information**

Name of Generation Facility: Seneca Falls  
Location/Address: 1786 Salcman Road  
Waterloo, NY 13165

**Owner Name/Information**

Name: Peter Zeliff  
Address: 2917 Judge Road,  
Oakfield, NY 14125  
Phone: 585-948-8580  
Fax: 585-948-8584  
Email: [pzeliff@innovativeenergysystems.com](mailto:pzeliff@innovativeenergysystems.com)

**Authorized Representative/Information**

Name: Stephen L. Cowell  
Business:  
Address: 40 Washington

Street,  
Westborough, MA  
01581  
Phone: 508-836-9500  
Fax: 508-836-3138  
Email: Stephen L. Cowell

**Alternative Representative/Information**

Name: Jennifer Lange  
Address: 40 Washington  
Street,  
Westborough, MA  
01581  
Phone: 508-836-9500 ext  
3221  
Fax: 508-836-3181  
Email: jennifer.lange@csggrp.com

**Operator Name/Information**

Name: Innovative Energy  
Systems, Inc.  
Address: 2917 Judge Road,  
Oakfield, NY 14125  
Phone: 585-948-8580  
Fax: 585-948-8584  
Email: pzeliff@innovativeenergysystems.com

ISO-NE Generation Unit Asset Identification Number, NE-GIS Identification Number or Other:  
32513

Rated Capacity: 11.2 MW

Commercial Operation Date:  
03/01/96

**If you are filing for Class I registration please complete Section 2 below. If you are seeking Class II registration, please proceed to Section 3.**

**Section 2: Class I Facilities**

Please indicate which of the following eligible renewable fuels, energy resources and technologies are used by the generation unit: (Check ALL that apply)

**Methane Gas from Landfills**

*Note 1: Run-Of-The-River Hydropower facility provided such facility has a generating capacity of not more than five (5) megawatts, does not cause an appreciable change in the river flow, and began operation after July 1, 2003.*

*Note 2: Biomass Facility, including, but not limited to, a biomass gasification plant that utilizes land clearing debris, tree stumps, or other biomass that regenerates or the use of which will not result in a depletion of resources, provided such biomass is cultivated and harvested in a sustainable manner and the average emission rate for such facility is equal to or less than .075*

*pounds of nitrogen oxides per million BTU of heat input for the previous calendar quarter, except that energy derived from a biomass facility with a capacity of less than five hundred (500) kilowatts that began construction before July 1, 2003, may be considered a Class I Renewable Energy Source provided such biomass is cultivated and harvested in a sustainable manner.*

**Note 3: Low Emission Advanced Renewable Energy Conversion Technologies. Please attach or type below a description of the fuel source and technology to be utilized**

### **Section 3: Class II Facilities**

#### **None Pick!**

*Note 4: Run-of-the-River hydropower facility provided such facility has a generating capacity of not more than five (5) megawatts, does not cause an appreciable change in the riverflow, and began operation prior to July 1, 2003.*

*Note 5: Biomass facility that began operation before July 1, 1998, provided the average emission rate for such facility is equal to or less than .2 pounds of nitrogen oxides per million BTU of heat input for the previous calendar quarter.*

### **Section 4: Biomass Documentation (See Note 6 below)**

***Please attach or type below an explanation of why you believe the facility uses "biomass that is cultivated and harvested in a sustainable manner."***

If you checked an eligible biomass facility above, please respond to the following:

A. Please attach a copy of the Generation Unit's Valid Air Permit or equivalent authorization indicating nitrogen oxides emissions compliance with Class I or Class II resources for the previous calendar quarter.

B. Effective date of Valid Air Permit or equivalent authorization:

C. State or jurisdiction issuing Valid Air Permit or equivalent authorization:

*Note 6: Biomass facilities shall file with the Department at the end of each calendar quarter an affidavit that the average emission rate of such facility is equal to or less than the threshold level for qualification.*

### **Section 5: Run-of-River Hydro Documentation**

Please Attach:

- Facility's current FERC License, including a Run-of-River Monitoring and Compliance Plan. If facility is not licensed by FERC, please submit a FERC decision or a court decision showing that FERC has no jurisdiction, or has declined to exercise jurisdiction over such facility and a plan describing how run-of-river operation is accomplished, including a description of all equipment and instrumentation needed to maintain run-of-river operation, and provide an operational history demonstrating that pond level inflows and outflows are consistent with run-of-river operations.
- FERC documentation showing the facility's first date of commercial operation.
- If the facility has upgraded its equipment to increase its nameplate capacity after July 1, 2003, submit FERC documentation showing such increase and date of first commercial operation for such increase. If the facility is not regulated by FERC, submit technical data supporting the claim of increased capacity, including a description of any new equipment and instrumentation and an explanation of how it increases the capacity.
- Does the applicant have an ownership interest in any of the electric generators or hydroelectric facilities or other FERC projects that (1) utilize or rely on water released from the facility's dam for flow, or (2) the facility relies on for flow, or (3) affect or are affected by the facility's flow.

If yes, provide the name, location and capacity of such generators, facilities or projects and any ownership interest held by the applicant in such generators, facilities or projects.

*File Attachment:*

## **Section 6: Metering—All New England Generators must use the GIS System.**

### **ISO-NE Market Settlement System (See Note 7 below)**

*Note 7: ISO-NE Market Settlement System and self-reported to the NE-GIS Administrator*

If Other was selected above (please explain):

## **Section 7: Location**

Please check each of the following that apply to the generation unit:

### **Grid Connected Generation**

\*If facility is located outside of Connecticut, submit the following information:

Please attach documentation regarding the entity with competent jurisdiction that will be responsible for auditing and verification of the facility's generation output. See DPUC Docket No. 04-05-13.

## **Section 8: Other Information**

Does the generation unit use an ineligible fuel in conjunction with an eligible Connecticut

renewable fuel source?

No

Will the monthly percentage of electrical energy output attributable to each fuel be reported to the NE-GIS Administrator each month pursuant to NE-GIS requirements?

N/A

What type of measurement and recording equipment does your company currently have on site or intend to install to appropriately track electric generation output attributable to each fuel source?

N/A

In submitting this application with the appropriate documentation the owner/authorized representative acknowledges that the generation unit's renewable generation attributes to be used for compliance with the Connecticut Renewable Portfolio Standard have not otherwise been, nor will be, sold, retired, claimed or represented as part of electricity output or sales, or used to satisfy obligations in jurisdictions other than Connecticut.

**Comments:**

The commercial operation date is 3/96.

**Section 9:**

Please attach the documentation (letter from unit owner, etc.) demonstrating the authority of the Authorized Representative indicated in Section 1 to certify and submit this Application.

**Authorized Signature-(for hard copy filing)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*Reminder, please print, sign and mail hard copy.**

**[Cancel Back](#)**

**[Home](#)**

Docket Number: 04-06-37



[scanned authorization forCTDPUC.pdf](#)

**STATE OF CONNECTICUT**  
**Department of Public Utility Control**

*Ten Franklin Square, New Britain, CT 06051*  
*Voice # (860) 827-1553 Main FAX # (860) 827-2613*

**Public View-Approved**

<b>Name of Generation Unit ⇄</b>	<b>Generation Unit Location ⇄</b>	<b>Filer</b>	<b>Owner Name ⇄</b>	<b>NEGIS Identification Number ⇄</b>	<b>Rate Capacity MW</b>	<b>Commercial Operation Date</b>	<b>Class I Facilities</b>	<b>Class II Facilities</b>
<u>Seneca</u> <u>Falls</u>	Grid Connected Generation		Stephen L. Cowell	Peter Zeliff	32513 11.2	03/01/1996	Methane Gas from Landfills	



COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CONSUMER AFFAIRS  
AND BUSINESS REGULATION  
**DIVISION OF ENERGY RESOURCES**

70 FRANKLIN ST., 7th FLOOR

BOSTON, MA 02110-1313

Internet: [www.Mass.Gov/DOER](http://www.Mass.Gov/DOER)

Email: [Energy@State.MA.US](mailto:Energy@State.MA.US)

**Mitt Romney**  
Governor

**Kerry Healey**  
Lieutenant Governor

**Beth Lindstrom**  
Director, Office of Consumer Affairs  
and Business Regulation

**David L. O'Connor**  
Commissioner

TELEPHONE  
617-727-4732

FACSIMILE  
617-727-0030  
617-727-0093

July 30, 2004

Mr. Stephen L. Cowell  
CEO & Chairman  
CSGServices, Inc  
40 Washington Street  
Westborough, MA 01581

**RE: RPS Eligibility Decision**  
**Seneca Falls Landfill Gas Project [LG-1030-04]**

Dear Mr. Cowell,

On behalf of the Division of Energy Resources (the Division), I am pleased to inform you that your Application for a Statement of Qualification pursuant to the Massachusetts Renewable Energy Portfolio Standard (RPS) Regulations, 225 CMR 14.00, is hereby approved. The Division finds that the Generation Unit meets the requirements for eligibility as a New Renewable Generation Unit pursuant to 225 CMR 14.05.

Qualification of this Generation Unit is, however, subject to the following two conditions that are detailed in the enclosed Statement of Qualification:

1. Annual certification and documentation of the date on which the electrical energy output of the Unit exceeds the Unit's Historical Generation Rate, which has been determined to be **48,130 MWh**.
2. Provisions of the RPS Regulations at 225 CMR 14.05(5) that pertain to any Generation Unit that is located outside of the ISO-New England Control Area.

Each Massachusetts New Renewable Generation Unit is assigned a unique Massachusetts RPS Identification Number (MA RPS ID#). The MA RPS ID # stated on the Statement of Qualification must be included in all correspondence with the Division. Seneca Falls Landfill Gas Project's MA RPS ID# is LG-1030-04.

The Division wishes to remind you of the notification requirements for changes in eligibility status contained in 225 CMR 14.06(3). The Owner or Operator of the Generation Unit shall submit notification of such changes to the Division no later than five days following the end of the month during which such changes were implemented.

The Division also wishes to remind you to be cognizant of the Operating Rules and the reporting requirements of the NEPOOL GIS, which may be amended from time to time, and compliance with which may affect the RPS qualification of your Generation Unit's GIS certificates.

Sincerely,



Robert Sydney  
General Counsel

Encl: Statement of Qualification



**COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION  
DIVISION OF ENERGY RESOURCES**

**Statement of Qualification**

**Pursuant to the Renewable Energy Portfolio Standard  
225 CMR 14.00**

This Statement of Qualification, provided by the Massachusetts Division of Energy Resources, signifies that the Generation Unit identified below meets the requirements for eligibility as a New Renewable Generation Unit, pursuant to the Renewable Energy Portfolio Standard (RPS) Regulations at 225 CMR 14.05, as of the approval date of the Application for Statement of Qualification, this 30<sup>th</sup> day of July, 2004.

Authorized Representative's Name and  
Address:

Mr. Stephen L. Cowell CEO & Chairman CSGServices, Inc 40 Washington Street Westborough, MA 01581
--

Name of Generation Unit:

<b>Seneca Falls Landfill Gas Project</b>
--

Qualification of this Generation Unit is subject to the following provisions:

1. The Unit's Historical Generation Rate is determined to be **48,130 MWh**. Only that portion of the electrical energy output of the Generation Unit in each calendar year that exceeds the Unit's Historical Generation Rate will qualify as New Renewable Generation under the RPS Regulations at 225 CMR 14.05(2). During each calendar year, the Unit's Owner or Operator shall inform the Division of the date on which the Unit's electrical energy output has exceeded its Historical Generation Rate, and shall provide thereof certification and documentation satisfactory to the Division.
2. The portion of the total electrical energy output that qualifies as New Renewable Generation in a given time period shall meet requirements that include, but are not limited to, the following provisions of 225 CMR 14.05(5):
  - (a) An External Unit Contract shall be executed between the Generation Unit Owner or Operator and an electrical energy purchaser located in the ISO-NE Control Area for delivery of the Unit's electrical energy to the ISO-NE Control Area. The External Unit Contract shall include associated transmission rights for delivery of the Unit's electrical energy over the ties from an adjacent control area to the ISO-NE Control Area; and

(b) The Generation Unit Owner or Operator shall provide documentation, satisfactory to the Division, that:

1. the electrical energy delivered pursuant to the External Unit Contract was settled in the ISO-NE Market Settlement System;
2. the Generation Unit produced, during the applicable month, the amount of MWhs claimed, as verified by the NE-GIS administrator;
3. the electrical energy delivered under the External Unit Contract received a North American Electricity Reliability Council Tag confirming transmission from the originating Control Area to the ISO-NE Control Area; and
4. the New Renewable Generation Attributes have not otherwise been, nor will be, sold, retired, claimed or represented as part of electrical energy output or sales, or used to satisfy obligations in jurisdictions other than Massachusetts.

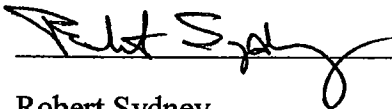
ISO-NE Generation Unit Asset Identification Number or NE-GIS Identification Number:

**IMP-32513**

This New Renewable Generation Unit is assigned a unique Massachusetts RPS Identification Number, which shall be included in all correspondence with the Division:

**MA RPS ID # LG-1030-04**

Pursuant to 225 CMR 14.06, the Owner or Operator of the New Renewable Generation Unit is responsible for notifying the Division of any change in eligibility status, and the Division may suspend or revoke this Statement of Qualification if the Owner or Operator of a New Renewable Generation Unit fails to comply with 225 CMR 14.00.



Date: July 30, 2004

Robert Sydney  
General Counsel  
Division of Energy Resources

LANDFILL GAS RECOVERY FACILITY

Annual/Quarterly Report

- A. Annual Report for the year of operation from January 1, 1996 to December 31, 1996.
- B. Quarterly Report for: Quarter 1 Quarter 2 Quarter 3 Quarter 4

SECTION 1

Owner/Facility Information

Facility Name Seneca Energy, Inc. NYSDEC Facility Code # 50E02  
 Town Seneca Falls County Seneca NYSDEC Region # 8  
 360 Permit # 8-4532 -00075 /00001 -0 Issued 7/12/94 Expires 7/12/04  
 Owner Name Seneca Energy, Inc. Phone # (716) 759-0366  
 Mailing Address P.O. Box 116, Clarence State NY zip 14031  
 Operator Name Carl Schnitzmeier Phone # (315) 539-0049  
 Mailing Address P.O. Box 116, Clarence State NY zip 14031

SECTION 2

Quantities

Provide the following information:

	Facility Operation (Hours)	Landfill Gas Recovered (Cu. Ft.)	Condensate Generated (Gallons)	Steam* Generated (Cu. Ft.)	Electricity* Generated (K.W.H.)	Low BTU/ Pipeline Quality Gas* Produced (Cu. Ft.)
January	0		N/A	N/A		N/A
February	0					
March	556	28,049,700			1,335,700	
April	720	33,231,920			1,661,596	
May	600	27,848,625			1,326,125	
June	720	33,231,030			1,582,430	
July	744	36,136,569			1,720,789	
August	744	47,944,680			2,283,080	
September	720	56,747,481			2,702,261	
October	744	61,680,738			2,937,178	
November	720	57,912,561			2,757,741	
December	744	62,419,791			2,972,371	
ANNUAL TOTAL	7012	445,203,095			21,279,271	

\* Provide where applicable.

LANDFILL GAS RECOVERY FACILITY

Annual/Quarterly Report

A. Annual Report for the year of operation from January 1, 1997 to December 31, 1997.

B. Quarterly Report for: Quarter 1 Quarter 2 Quarter 3 Quarter 4

SECTION 1

Owner/Facility Information

Facility Name Seneca Energy, Inc. NYSDEC Facility Code # 50E02  
 Town Seneca Falls County Seneca NYSDEC Region # 8

360 Permit # 8-4532-00075/0001-0 Issued 07/12/94 Expires 07/12/04

Owner Name Seneca Energy, Inc. Phone # (716) 759-0366

Mailing Address P.O. Box 116, Clarence State NY Zip 14031

Operator Name Peter H. Zeliff, Jr. Phone # (315) 539-0049

Mailing Address P.O. Box 116, Clarence State NY Zip 14031

SECTION 2

Quantities

Provide the following information:

	Facility Operation (Hours)	Landfill Gas Recovered (Cu. Ft.)	Condensate Generated (Gallons)	Steam* Generated (Cu. Ft.)	Electricity* Generated (K.W.H.)	Low BTU/ Pipeline Quality Gas* Produced (Cu. Ft.)
January	744	62,131,797	(N/A)	(N/A)	2,958,657	(N/A)
February	670	56,551,404	(N/A)	(N/A)	2,692,924	(N/A)
March	744	61,422,039	(N/A)	(N/A)	2,924,859	(N/A)
April	716.5	59,580,381	(N/A)	(N/A)	2,837,161	(N/A)
May	740	57,058,806	(N/A)	(N/A)	2,717,086	(N/A)
June	714.5	70,934,682	(N/A)	(N/A)	3,377,842	(N/A)
July	738	84,315,756	(N/A)	(N/A)	4,015,036	(N/A)
August	744	87,832,122	(N/A)	(N/A)	4,182,482	(N/A)
September	717	84,544,068	(N/A)	(N/A)	4,025,908	(N/A)
October	707	76,656,363	(N/A)	(N/A)	3,650,303	(N/A)
November	703.5	70,292,460	(N/A)	(N/A)	3,347,260	(N/A)
December	742	81,512,508	(N/A)	(N/A)	3,881,548	(N/A)
ANNUAL TOTAL	8680.5	852,832,386	(N/A)	(N/A)	40,611,066	(N/A)

\* Provide where applicable

Innovative Energy - Seneca Falls, NY Facility

36 months of generation data to calculate Vintage

Plant 1 Plant 2	MW	operational dates			
		1996	1997	1998	
				5.6 March 6, 1996, Aug 15, 1996, and June 6, 1997	
				5.6 15-Sep-98	
36 months of production					
Year		1996	1997	1998	1999
Jan		0	2958657	4085414	7379942
Feb		0	2692924	3704922	7085708
Mar		not full month of data	2924859	4065857	7715006
Apr		1661596	2837161	3894774	
May		1326125	2717086	3920778	
Jun		1582430	3377842	3582487	
Jul		1720789	4015036	3751349	
Aug		2283080	4182482	4583041	
Sep		2702261	4025908	6878085	
Oct		2937178	3650303	7690198	
Nov		2757741	3347260	7549327	
Dec		2972371	3881548	7859628	
Total		19,943,571	40,611,066	61,565,860	22,180,656
36 month total		144,301,153			
annual average		48,100,384			

**New York State Department of Environmental Conservation  
Division of Environmental Permits, Region 8**

6274 East Avon-Lima Road, Avon, New York 14414-9519

Phone: (585) 226-5400 • FAX: (585) 226-2830

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Denise M.  
Sheehan Acting  
Commissioner

October 5, 2005

Mr. Peter Zeliff  
Innovative Energy Systems Inc  
2917 Judge Rd  
Oakfield NY 14125

Re: **Seneca Energy, Inc. Title V Renewal and Modification**  
DEC # 8-4532-00075/00029  
Seneca Falls (T), Seneca (C)

Dear Mr. Zeliff:

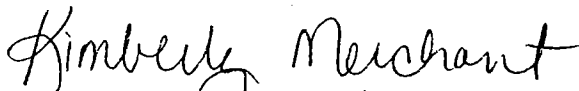
Enclosed is the renewed and modified Title V Air Facility Permit for the above referenced facility. The modification and renewal are effective October 6, 2005 and the permit expires October 5, 2010. Please note, the previous permit is hereby replaced in it's entirety. Due to the modification, the permit renewal cycle dates have been changed.

The Department did not receive any additional comments from the United States Environmental Protection Agency (USEPA) on their review of the proposed permit. The 45 days allocated for USEPA's review ended on September 22, 2005. There have been no changes made to the permit in response to USEPA comments.

Please read the permit carefully and note that the validity of the permit is contingent upon compliance. No authority is granted by this permit to operate, construct, or maintain, any installation in violation of any law, statute, code, ordinance, rule, or regulation, of the State of New York, or any of its political subdivisions. You should become familiar with your responsibilities regarding modification and renewal of the Title V permit under 6 NYCRR Part 201-6.7.

Please contact me at (585) 226-5402 within 30 days of the postmark date on the envelope transmitting this permit if you identify any condition(s) that can not be met in full or if you have any questions concerning this permit. You may also contact Michele Kharroubi in the Division of Air Resources at 585-226-5312 if you have any questions regarding the modification or the permit itself.

Sincerely,



Kimberly A. Merchant  
Environmental Analyst II

encl.

cc (w/encl): Michele Kharroubi, NYSDEC Air Resources  
T. Hasek, SMI

cc (w/o encl): Steven Riva, EPA Region 2  
S. Wilsey, CRA  
P. D'Amato, Legal Division, NYSDEC  
M. Barker, URS  
P. Same, Supervisor, Town of Seneca Falls  
John Swanson, NYSDEC Solid and Hazardous Materials

---

New York State Department of Environmental Conservation  
Facility DEC ID: 8453200075



PERMIT  
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility  
Permit ID: 8-4532-00075/00029  
Effective Date: 10/06/2005      Expiration Date: 10/05/2010

Permit Issued To: SENECA ENERGY II LLC  
2917 JUDGE RD  
OAKFIELD, NY 14125

Contact: PETER H ZELIFF  
INNOVATIVE ENERGY SYSTEMS INC  
2917 JUDGE RD  
OAKFIELD, NY 14125-9771  
(585) 948-8580

Facility: SENECA ENERGY LFGTE FACILITY  
ROUTE 414|RENEWABLE RESOURCES PARK  
SENECA FALLS, NY 13165

Contact: PETER H ZELIFF  
INNOVATIVE ENERGY SYSTEMS INC  
2917 JUDGE RD  
OAKFIELD, NY 14125-9771  
(585) 948-8580

Description:  
Renewal and modification of Title V Facility Permit for a total of 18 engines capable of producing 6.4 megawatts of electricity. This permit replaces the initial Title V permit originally issued March 2001 for the operation of a landfill gas to energy facility. The facility was previously permitted to operate seven engines from their State I process (Emission Unit: 1-STAGE) and seven units from their State II process (Emission Unit:2-STAGE).

This Title V Permit reflects the addition of four 460-cfm Caterpillar G3520 20-cylinder internal combustion engines to the fourteen 300-cfm engines operating at the site for a total of 18 engines. The 4 newly proposed engines, as well as the previously permitted 14 engines, will be added under the new emission unit, 3-STAGE, Process ST3.

Oxides of Nitrogen (NO<sub>x</sub>) and Carbon Monoxide will exceed 100 tons per year, however the project will qualify for an exclusion authorized in the memo dated July 1, 1994 from John S. Seitz, Director of EPA's Office of Air Quality Planning and Standards, (entitled "Pollution Control Projects and New Source Review (NSR) Applicability"). Seneca Energy II, LLC has obtained 52 tons per year NO<sub>x</sub> emission reduction credits (ERCs). The facility will need to comply with 6NYCRR Part 227-2 NO<sub>x</sub> Reasonably Available Control Technology (RACT) limits. All monitoring records are to be maintained on site for a period of 5 years, and are to be made available to Department inspectors upon request.





**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.



**DEC GENERAL CONDITIONS**

**\*\*\*\* General Provisions \*\*\*\***

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

**GENERAL CONDITIONS - Apply to ALL Authorized Permits.**

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

**Item 1.1:**

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

**Item 1.2:**

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

**Item 1.3:**

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

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

**Item 2.1:**

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

**Condition 3: Applications for Permit Renewals and Modifications**  
Applicable State Requirement: 6NYCRR 621.13

**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,

New York State Department of Environmental Conservation  
Permit ID: 8-4532-00075/00029      Facility DEC ID: 8453200075



Permit Under the Environmental Conservation Law (ECL)

**ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT**

**IDENTIFICATION INFORMATION**

Permit Issued To: SENECA ENERGY II LLC  
2917 JUDGE RD  
OAKFIELD, NY 14125

Facility: SENECA ENERGY LFGTE FACILITY  
ROUTE 414|RENEWABLE RESOURCES PARK  
SENECA FALLS, NY 13165

Authorized Activity By Standard Industrial Classification Code:  
3519 - INTERNAL COMBUSTION ENGINES  
4911 - ELECTRIC SERVICES

Permit Effective Date: 10/06/2005

Permit Expiration Date: 10/05/2010



**STATE ONLY ENFORCEABLE CONDITIONS**

**Facility Level**

- 34 38 ECL 19-0301: Contaminant List
- 35 39 6NYCRR 201-1.4: Unavoidable noncompliance and violations

**Emission Unit Level**

**EU=3-STAGE**

- 36 40 6NYCRR 212.4(a): Emissions from new emission sources and/or modifications

**New York State Department of Environmental Conservation**

Permit ID: 8-4532-00075/00029

Facility DEC ID: 8453200075



**201-6.3(a)(4)**

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

**Item D: Certification by a Responsible Official - 6 NYCRR Part 201-6.3(d)(12)**

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

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

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

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

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

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

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

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

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

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

If any provisions, parts or conditions of this permit are found to be

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

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

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

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

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

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

**Item L:**

**Permit Exclusion - ECL 19-0305**

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

**Item M:**

**Federally Enforceable Requirements - 40 CFR 70.6(b)**



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

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

**Condition 4: Monitoring, Related Recordkeeping, and Reporting Requirements.**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 4.1:**

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

**Condition 5: Compliance Certification**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 5.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 5.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

To meet the requirements of this facility permit with respect to reporting, the permittee must:

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

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

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

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

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

**Reporting Requirements: SEMI-ANNUALLY (CALENDAR)**

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

**Condition 6: Compliance Certification**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 6.1:**

The Compliance Certification activity will be performed for the Facility.

**Item 6.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:



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6274 East Avon-Lima Road  
Avon, NY 14414-9519

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

Subsequent reports are due on the same day each year

**Condition 7: Open Fires Prohibited at Industrial and Commercial Sites  
Effective between the dates of 10/06/2005 and 10/05/2010**

**Applicable Federal Requirement: 6NYCRR 215**

**Item 7.1:**

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

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

**The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period. [NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]**

**Condition 8: Maintenance of Equipment  
Effective between the dates of 10/06/2005 and 10/05/2010**

**Applicable Federal Requirement: 6NYCRR 200.7**

**Item 8.1:**

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

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Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 13.1:**

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

**Condition 14: General Condition - Right to Inspect**

Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 14.1:**

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

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

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

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

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

**Condition 15: Standard Requirements - Progress Reports**

Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 15.1:**

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

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

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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.

**Condition 19: Accidental release provisions.**  
Effective between the dates of 10/06/2005 and 10/05/2010

**Applicable Federal Requirement: 40CFR 68**

**Item 19.1:**

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

- a) The owner or operator shall comply with the provisions of 40 CFR Part 68 and;
- b) The owner or operator shall submit at the time of permit issuance (if not previously submitted) one of the following, if such quantities are present:
  - 1) A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR §68.10(a) or,
  - 2) A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the Risk Management Plan. Information should be submitted to:

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

**Condition 20: Recycling and Emissions Reduction**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 20.1:**

The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

**Condition 21: Emission Unit Definition**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

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permit. Existing permit conditions may be amended to reference or include the new or changed emission source and any related information, and/or, subject to DEC approval, new conditions proposed, to provide the appropriate monitoring parameters.

b. Any new or changed emission source shall not be part of a source project that results in a significant net emissions increase that exceeds the NSR thresholds identified in 6 NYCRR Part 231-2 or 40 CFR 52.21.

c. The facility shall not use the protocol to make physical changes or changes in the method of operation of existing emission sources that would require a new or modified federally enforceable cap either to avoid major New Source Review requirements or to address and comply with other Clean Air Act requirements such as RACT. Such changes must be addressed via the significant permit modification provisions.

**B. Notification Requirements for Changes Reviewed under Protocol.**

1. The facility shall notify the Department in writing of the proposed change.

2. Notifications made in accordance with this protocol will include the following documentation:

a. Identification of the Title V permit emission unit, process(es), emission sources, and emission points affected by the proposed change with applicable revisions to the Emission Unit structure;

b. Description of the proposed change, including operating parameters;

c. Identification and description of emissions control technology;

d. Documentation of the project's or emission source's compliance with respect to all state and/or federally applicable requirements, including the following steps:

i. Calculate the emission rate potential and maximum projected actual annual emission rates for all contaminants affected by the change.

ii. Submit documentation of major NSR program non-applicability for NYSDEC review and approval.

iii. Identify and evaluate the applicability of all regulations likely

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

**Condition 23: Compliance Certification**  
Effective between the dates of 10/06/2005 and 10/05/2010

Applicable Federal Requirement: 6NYCRR 227-2.3(c)

**Item 23.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 23.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility is subject to the NOx RACT requirements of 6NYCRR Part 227-2. The facility is required to submit an operating plan as described in 6NYCRR Part 227-2.3(c) to the Department for approval. The facility must operate the engines in accordance with the approved operating plan. This will ensure that the engines are operating under the same conditions as the most recent approved performance test. The document shall be updated when any changes occur.

The plan must include a provision to maintain daily fuel usage records as well as performing an annual tune-up on each internal combustion engine in use at the facility.

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 1/30/2006.

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

**Condition 24: Compliance Certification**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 24.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

**Item 24.2:**

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Upper Permit Limit: 2.0 grams per brake horsepower-hour  
Reference Test Method: METHOD - SEE MONITORING DESCRIPTION  
Monitoring Frequency: SEMI-ANNUALLY  
Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION  
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)  
Reports due 30 days after the reporting period.  
The initial report is due 1/30/2006.  
Subsequent reports are due every 6 calendar month(s).

**Condition 26: Compliance Certification**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 26.1:**

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

Emission Unit: 3-STAGE

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

**Item 26.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

In order to show compliance with the NO<sub>x</sub> RACT standard of sources firing landfill gas of 2.0 grams per brake horsepower-hour, the facility is required to conduct an emission test under 6NYCRR Part 227-2.6(a)(7). In accordance with this requirement, the facility must:

- 1) submit a compliance test protocol to the Department for approval at least 30 days prior to emission testing. The conditions of the testing and the locations of the sampling devices must be acceptable to the Department; and
- 2) utilize the procedures set forth in 40 CFR Part 60, Appendix A or any other method acceptable to the Department and the Administrator for determining compliance with the NO<sub>x</sub> limit of 2.0 grams per brake horsepower-hour, and must, in addition, follow the procedures set forth in 6NYCRR Part 202 as follows:

For stationary internal combustion engines, utilize Method 7, 7E, or 19 from 40 CFR Part 60, Appendix A or another reference method

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Effective between the dates of 10/06/2005 and 10/05/2010

Applicable Federal Requirement: 6NYCRR 231-2.4

**Item 28.1:**

To satisfy the emission offset requirements of Part 231, the facility has obtained 52 tons of NOx Emission Reduction Credits (ERCs) from the following sources:

Facility Name	DEC ID	ERCs (tpy)
LFG Energy Upgrade Facility 52	9-1432-00281	

**Condition 29: Compliance Certification**

Effective between the dates of 10/06/2005 and 10/05/2010

Applicable Federal Requirement: 6NYCRR 257-4

**Item 29.1:**

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

**Item 29.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sum of emissions of carbon monoxide from this facility are limited to 522.9 tons/year calculated on a rolling 12 month total. This limit ensures that National Ambient Air Quality Standards are not exceeded. The facility shall calculate monthly carbon monoxide emissions using daily records of gas burned and oxygen readings at each engine and keep these records in a format acceptable to the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: FLOW

Upper Permit Limit: 522.9 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

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Regulated Contaminant(s):

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

**Item 31.2:**

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The sum of emissions of oxides of nitrogen from this facility are limited to 214.4 tons/year calculated on a rolling 12 month total. This limit ensures that National Ambient Air Quality Standards are not exceeded. The facility shall calculate monthly oxides of nitrogen emissions using daily records of gas burned and oxygen readings at each engine and keep these records in a format acceptable to the Department.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: LANDFILL GAS

Parameter Monitored: FLOW

Upper Permit Limit: 214.4 tons per year

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 12 MONTH AVERAGE - ROLLED MONTHLY

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2006.

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

**Condition 32: EPA Region 2 address.**

**Effective between the dates of 10/06/2005 and 10/05/2010**

**Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A**

**Item 32.1:**

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

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

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

NYSDEC  
Bureau of Quality Assurance  
625 Broadway



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Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG07

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG08

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG09

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG10

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG11

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG12

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG13

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG14

Height (ft.): 29                      Diameter (in.): 12  
NYTMN (km.): 4754.222    NYTME (km.): 350.031    Building: ENGBLDG

Emission Point: ENG15

Height (ft.): 38                      Diameter (in.): 20  
Building: ENGBLDG

Emission Point: ENG16

Height (ft.): 38                      Diameter (in.): 20  
Building: ENGBLDG

Emission Point: ENG17

Height (ft.): 38                      Diameter (in.): 20  
Building: ENGBLDG

Emission Point: ENG18

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Emission Source/Control: 10ENG - Combustion  
Design Capacity: 835 kilowatts

Emission Source/Control: 11ENG - Combustion  
Design Capacity: 835 kilowatts

Emission Source/Control: 12ENG - Combustion  
Design Capacity: 835 kilowatts

Emission Source/Control: 13ENG - Combustion  
Design Capacity: 835 kilowatts

Emission Source/Control: 14ENG - Combustion  
Design Capacity: 835 kilowatts

Emission Source/Control: 15ENG - Combustion  
Design Capacity: 1,600 kilowatts

Emission Source/Control: 16ENG - Combustion  
Design Capacity: 1,600 kilowatts

Emission Source/Control: 17ENG - Combustion  
Design Capacity: 1,600 kilowatts

Emission Source/Control: 18ENG - Combustion  
Design Capacity: 1,600 kilowatts

**Condition 36: Compliance Certification**  
Effective between the dates of 10/06/2005 and 10/05/2010

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

**Item 36.1:**  
The Compliance Certification activity will be performed for:

Emission Unit: 3-STAGE

**Item 36.2:**  
Compliance Certification shall include the following monitoring:

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

Monitoring Description:

No person shall operate a stationary combustion installation which exhibits greater than 20% opacity (six minute average), except for one six-minute period per hour of not more than 27 percent opacity. The facility will perform a visual observation of each exhaust on a daily basis. If any opacity is noted, corrective action will be taken

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or the rule changes have been promulgated, the facility must comply with this permit condition.

Lower Permit Limit: 98 percent by weight

Reference Test Method: EPA Method 18, 25, 25C

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD  
INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

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Facility DEC ID: 8453200075



CAS No: 0NY998-20-0

Name: NMOC - LANDFILL USE ONLY

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 39: Unavoidable noncompliance and violations**  
**Effective between the dates of 10/06/2005 and 10/05/2010**

**Applicable State Requirement: 6NYCRR 201-1.4**

**Item 39.1:**

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

- (a) The facility owner and/or operator shall compile and maintain records of all equipment maintenance or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the commissioner's representative when requested to do so in writing or when so required by a condition of a permit issued for the corresponding air contamination source except where conditions elsewhere in this permit which contain more stringent reporting and notification provisions for an applicable requirement, in which case they supercede those stated here. Such reports shall describe why the violation was unavoidable and shall include the time, frequency and duration of the maintenance and/or start-up/shutdown activities and the identification of air contaminants, and the estimated emission rates. If a facility owner and/or operator is subject to continuous stack monitoring and quarterly reporting requirements, he need not submit reports for equipment maintenance or start-up/shutdown for the facility to the commissioner's representative.
- (b) In the event that emissions of air contaminants in excess of any emission standard in 6 NYCRR Chapter III Subchapter A occur due to a malfunction, the facility owner and/or operator shall report such malfunction by telephone to the commissioner's representative as soon as possible during normal working hours, but in any event not later than two working days after becoming aware that the malfunction occurred. Within 30 days thereafter, when requested in writing by the commissioner's representative, the facility owner and/or operator shall submit a written report to the commissioner's representative describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates. These reporting requirements are superceded by conditions elsewhere in this permit which contain reporting and notification provisions for applicable requirements more stringent than those above.
- (c) The Department may also require the owner and/or operator to include in reports described under (a) and (b) above an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions depending on the deviation of the malfunction and the air contaminants emitted.
- (d) In the event of maintenance, start-up/shutdown or malfunction conditions which result in emissions exceeding any applicable emission standard, the facility owner and/or operator shall take

Summary of Compliance Requirements  
 \*\*\* THIS SUMMARY IS NOT ENFORCEABLE BUT IS MERELY INTENDED TO PROVIDE A CONCEPTUAL VIEW OF THE MONITORING REQUIREMENTS. \*\*\*  
 READERS ARE DIRECTED TO THE MAIN PERMIT FOR DETAILS REGARDING ENFORCEABLE CONDITIONS. \*\*\*

DEC ID 8453200075 Facility SENECA ENERGY LFGTE FACILITY  
 Location ROUTE 414/RENEWABLE RESOURCES PARK SENECA FALLS, NY 13165  
 Permit ID 8-4532-00075/00029 Application Recv'd 04/18/2005 Renewal No: 1

Permit Type ATV Status Issued

Compliance Assurance Monitoring

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

RECORD KEEPING/MAINTENANCE PROCEDURES

SEMI-ANNUALLY (CALENDAR)

TO MEET THE REQUIREMENTS OF THIS FACILITY PERMIT WITH RESPECT TO REPORTING, THE PERMITEE 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 INCIDENTS 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 INCIDENTS 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

Summary of Compliance Requirements  
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DEC ID 8453200075 Facility SENECA ENERGY LFGTE FACILITY  
 Location ROUTE 414/RENEWABLE RESOURCES PARK SENECA FALLS, NY 13165  
 Permit ID 8-4532-00075/00029 Application Recv'd 04/18/2005 Renewal No: 1  
 Permit Type ATV Status Issued

Compliance Assurance Monitoring

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

RECORD KEEPING/MAINTENANCE PROCEDURES

ANNUALLY (CALENDAR)

ANNUALLY

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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

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Compliance Assurance Monitoring

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

RECORD KEEPING/MAINTENANCE PROCEDURES

SEMI-ANNUALLY (CALENDAR)

AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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22

OPERATIONAL FLEXIBILITY PLAN

I. PROTOCOL OBJECTIVE

THE OBJECTIVE OF THIS CONDITION IS TO MAXIMIZE OPERATIONAL FLEXIBILITY AT THE FACILITY BY BUILDING INTO THE TITLE V PERMIT THE CAPABILITY TO MAKE CERTAIN CHANGES USING A PROTOCOL. AS PROVIDED UNDER 6 NYCRR PART 201-6.5(F)(2), CHANGES MADE UNDER AN APPROVED PROTOCOL ARE NOT SUBJECT TO THE TITLE V PERMIT MODIFICATION PROVISIONS UNDER 6 NYCRR PART 201-6.7.

□□

II. PROTOCOL

A. CRITERIA

1. CHANGES REVIEWED UNDER THIS PROTOCOL IN SHALL BE EVALUATED IN ACCORDANCE WITH THE FOLLOWING CRITERIA:

A. ALL UNDERLYING FEDERAL AND STATE REQUIREMENTS WITH WHICH THE NEW OR CHANGED EMISSION SOURCE MUST COMPLY MUST EXIST IN THE TITLE V PERMIT. EXISTING PERMIT CONDITIONS MAY BE AMENDED TO REFERENCE OR INCLUDE THE NEW OR CHANGED EMISSION SOURCE AND ANY RELATED INFORMATION, AND/OR, SUBJECT TO DEC APPROVAL, NEW CONDITIONS PROPOSED, TO PROVIDE THE APPROPRIATE MONITORING PARAMETERS.

B. ANY NEW OR CHANGED EMISSION SOURCE SHALL NOT BE PART OF A SOURCE PROJECT THAT RESULTS IN A SIGNIFICANT NET EMISSIONS INCREASE THAT EXCEEDS THE NSR THRESHOLDS IDENTIFIED IN 6 NYCRR PART 231-2 OR 40 CFR 52.21.

□□  
 C. THE FACILITY SHALL NOT USE THE PROTOCOL TO MAKE PHYSICAL CHANGES OR CHANGES IN THE METHOD OF OPERATION OF EXISTING EMISSION SOURCES THAT WOULD REQUIRE A NEW OR MODIFIED FEDERALLY ENFORCEABLE CAP EITHER TO AVOID MAJOR NEW SOURCE REVIEW REQUIREMENTS OR TO ADDRESS AND COMPLY WITH OTHER CLEAN AIR ACT REQUIREMENTS SUCH AS RACT. SUCH CHANGES MUST BE ADDRESSED VIA THE SIGNIFICANT PERMIT MODIFICATION PROVISIONS.

B. NOTIFICATION REQUIREMENTS FOR CHANGES REVIEWED UNDER PROTOCOL

□□  
 1. THE FACILITY SHALL NOTIFY THE DEPARTMENT IN WRITING OF THE PROPOSED CHANGE.

□□  
 2. NOTIFICATIONS MADE IN ACCORDANCE WITH THIS PROTOCOL WILL INCLUDE THE FOLLOWING DOCUMENTATION:

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Compliance Assurance Monitoring

Concentration	Monitored Parameter	Units		Activity Type
		Lower Limit	Upper Limit	
Regulated Contaminant				Reporting Frequency
Process Material				Monitoring Frequency
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- UPON COMMENCEMENT OF THE CHANGE, THE FACILITY SHALL COMPLY WITH ALL APPLICABLE REQUIREMENTS AND PERMIT CONDITIONS, INCLUDING ANY AMENDED OR PROPOSED IN ACCORDANCE WITH III.A.1.A. ABOVE.
- THE FACILITY SHALL PROVIDE WITH THE SEMI-ANNUAL MONITORING REPORT, A SUMMARY OF THE CHANGES MADE IN ACCORDANCE WITH THIS PROTOCOL AND A STATEMENT OF THE COMPLIANCE STATUS OF EACH. CHANGES REPORTED SHOULD INCLUDE ALL THOSE MADE DURING THE CORRESPONDING PERIOD AND ANY EARLIER CHANGES THAT HAVE NOT YET BEEN INCORPORATED INTO THE PERMIT.

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OXIDES OF NITROGEN

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THE FACILITY IS SUBJECT TO THE NOX RACT REQUIREMENTS OF 6NYCRR PART 227-2. THE FACILITY IS REQUIRED TO SUBMIT AN OPERATING PLAN AS DESCRIBED IN 6NYCRR PART 227-2.3(C) TO THE DEPARTMENT FOR APPROVAL. THE FACILITY MUST OPERATE THE ENGINES IN ACCORDANCE WITH THE APPROVED OPERATING PLAN. THIS WILL ENSURE THAT THE ENGINES ARE OPERATING UNDER THE SAME CONDITIONS AS THE MOST RECENT APPROVED PERFORMANCE TEST. THE DOCUMENT SHALL BE UPDATED WHEN ANY CHANGES OCCUR.

THE PLAN MUST INCLUDE A PROVISION TO MAINTAIN DAILY FUEL USAGE RECORDS AS WELL AS PERFORMING AN ANNUAL TUNE-UP ON EACH INTERNAL COMBUSTION ENGINE IN USE AT THE FACILITY.

RECORD KEEPING/MAINTENANCE PROCEDURES

SEMI-ANNUALLY (CALENDAR)

AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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Compliance Assurance Monitoring

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

Units

26 \*\*\*\*\*  
 OXIDES OF NITROGEN  
 \*\*\*\*\*  
 grams per brake horsepower-hour  
 2.0  
 INTERMITTENT EMISSION TESTING  
 ONCE / BATCH OR MONITORING OCCURRENCE  
 AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  
 1-HOUR AVERAGE

IN ORDER TO SHOW COMPLIANCE WITH THE NOX RACT STANDARD OF SOURCES FIRING LANDFILL GAS OF 2.0 GRAMS PER BRAKE HORSEPOWER-HOUR, THE FACILITY IS REQUIRED TO CONDUCT AN EMISSION TEST UNDER 6NYCRR PART 227-2.6(A)(7). IN ACCORDANCE WITH THIS REQUIREMENT, THE FACILITY MUST:

- 1) SUBMIT A COMPLIANCE TEST PROTOCOL TO THE DEPARTMENT FOR APPROVAL AT LEAST 30 DAYS PRIOR TO EMISSION TESTING. THE CONDITIONS OF THE TESTING AND THE LOCATIONS OF THE SAMPLING DEVICES MUST BE ACCEPTABLE TO THE DEPARTMENT; AND
- 2) UTILIZE THE PROCEDURES SET FORTH IN 40 CFR PART 60, APPENDIX A OR ANY OTHER METHOD ACCEPTABLE TO THE DEPARTMENT AND THE ADMINISTRATOR FOR DETERMINING COMPLIANCE WITH THE NOX LIMIT OF 2.0 GRAMS PER BRAKE HORSEPOWER-HOUR, AND MUST, IN ADDITION, FOLLOW THE PROCEDURES SET FORTH IN 6NYCRR PART 202 AS FOLLOWS:  
 FOR STATIONARY INTERNAL COMBUSTION ENGINES, UTILIZE METHOD 7, 7E, OR 19 FROM 40 CFR PART 60, APPENDIX A OR ANOTHER REFERENCE METHOD APPROVED BY THE DEPARTMENT;
- 3) SUBMIT A COMPLIANCE TEST REPORT CONTAINING THE RESULTS OF THE EMISSION TEST TO THE DEPARTMENT NO LATER THAN 60 DAYS AFTER COMPLETION OF THE EMISSION TEST.

THE FACILITY SHOULD COMPLETE THE INITIAL PERFORMANCE TEST NO LATER THAN 180 DAYS OF STARTUP OF THE ENGINE PLANT. THE FACILITY MUST CONDUCT THE REQUIRED EMISSIONS TEST AT 100% +/- 10% LOAD ON EACH ENGINE TYPE DETERMINED BY THE DEPARTMENT. THE DEPARTMENT WILL BASE ITS DECISION USING THE NOX EMISSION RATES AS DETERMINED BY THE PORTABLE NOX ANALYZER PRIOR TO THE EMISSIONS TEST.

PRIOR TO RENEWAL OF THE TITLE V PERMIT, THE FACILITY MUST COMPLETE A SECOND PERFORMANCE TEST UTILIZING PROCEDURES FOR ENGINE SELECTION AND TESTING AS DESCRIBED ABOVE. THIS PERFORMANCE TEST MUST BE COMPLETED NO LATER THAN 180 DAYS PRIOR TO EXPIRATION OF THE TITLE V PERMIT.

Following Emission unit(EU), Emission point(EP), Process(PROC), Emission Source(ES) apply to this monitoring:  
 EU: 3-STAGE

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

31	FLOW OXIDES OF NITROGEN LANDFILL GAS			tons per year	214.4	WORK PRACTICE INVOLVING SPECIFIC OPERATIONS  SEMI-ANNUALLY (CALENDAR)  AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  12 MONTH AVERAGE - ROLLED MONTHLY
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THE SUM OF EMISSIONS OF OXIDES OF NITROGEN FROM THIS FACILITY ARE LIMITED TO 214.4 TONS/YEAR CALCULATED ON A ROLLING 12 MONTH TOTAL. THIS LIMIT ENSURES THAT NATIONAL AMBIENT AIR QUALITY STANDARDS ARE NOT EXCEEDED. THE FACILITY SHALL CALCULATE MONTHLY OXIDES OF NITROGEN EMISSIONS USING DAILY RECORDS OF GAS BURNED AND OXYGEN READINGS AT EACH ENGINE AND KEEP THESE RECORDS IN A FORMAT ACCEPTABLE TO THE DEPARTMENT.

Emission Unit: 3-STAGE

36	OPACITY **** ****			percent	20	MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE SEMI-ANNUALLY (CALENDAR)  AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION  6 MINUTE AVERAGE
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NO PERSON SHALL OPERATE A STATIONARY COMBUSTION INSTALLATION WHICH EXHIBITS GREATER THAN 20% OPACITY (SIX MINUTE AVERAGE), EXCEPT FOR ONE SIX-MINUTE PERIOD PER HOUR OF NOT MORE THAN 27 PERCENT OPACITY. THE FACILITY WILL BE REQUIRED TO PERFORM A VISUAL OBSERVATION OF EACH EXHAUST ON A DAILY BASIS. IF ANY OPACITY IS NOTED, CORRECTIVE ACTION WILL BE TAKEN IMMEDIATELY OR A METHOD 9 WILL BE PERFORMED WITHIN 2 BUSINESS DAYS. THE FACILITY SHALL KEEP RECORDS OF DAILY OBSERVATIONS AND ANY CORRECTIVE ACTION PERFORMED IN A FORMAT ACCEPTABLE TO THE DEPARTMENT.

Summary of Compliance Requirements

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