



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-2820-00358/00002
Effective Date: 05/15/2009 Expiration Date: 05/14/2014

Permit Type: Title IV (Phase II Acid Rain)
Permit ID: 1-2820-00358/00010
Effective Date: 05/15/2009 Expiration Date: 05/14/2014

Permit Issued To: VILLAGE OF FREEPORT
46 N OCEAN AVE
FREEPORT, NY 11520-3023

Facility: FREEPORT POWER PLANT #2
289 BUFFALO AVE
FREEPORT, NY 11520

Contact: ANTHONY FIORE
FREEPORT POWER PLANT
220 W SUNRISE HWY
FREEPORT, NY 11520

Description:
NATURE OF BUSINESS AT THE FACILITY:

Electric Power Generation.

4911 (primary SIC) - Electrical Services.

TYPE OF EQUIPMENT AND OPERATION AT THE FACILITY:

This renewal and modification of the facilities Title V permit renews the permit for 5 more years, modifies the Title V permit by incorporating permit conditions for operation of the LM-6000 Turbine which is currently operating under a State Facility Permit (ID: 1-2820-00358/00006), and establishes emission reduction credits (ERC's). The ERC's are for past emission reductions of 72.5 tons of oxides of nitrogen (NOx), and 2.3 tons of volatile organic compounds (VOC's), which were the result of decommissioning two (2) diesel engines (emission units U-00001 and U-00002) previously operated at the Freeport facility

This existing facility consists of a GE LM-6000 Turbine and a Curtis Wright "black start-up" combustion turbine.

AIR PERMIT APPLICABILITY:

Title V permit for an existing facility (operating permit).



By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: SUSAN ACKERMAN
 NYSDEC - SUNY @ STONY BROOK
 50 CIRCLE RD
 STONY BROOK, NY 11790-3409

Authorized Signature: _____ Date: ___ / ___ / _____



Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to 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.



LIST OF CONDITIONS

DEC GENERAL CONDITIONS

General Provisions

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

Facility Level

- Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS



DEC GENERAL CONDITIONS

**** General Provisions ****

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department

Applicable State Requirement: ECL 19-0305

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Applicable State Requirement: ECL 3-0301.2(m)

Item 2.1:

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

Condition 3: Applications for permit renewals, modifications and transfers

Applicable State Requirement: 6NYCRR 621.11

Item 3.1:

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

Item 3.2:

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



Item 3.3:

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

Condition 4: Applications for Permit Renewals and Modifications

Applicable State Requirement: 6NYCRR 621.13

Item 4.1:

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 4.2:

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 4.3:

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

Condition 5: Permit modifications, suspensions or revocations by the Department

Applicable State Requirement: 6NYCRR 621.13

Item 5.1:

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

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

Condition 6: Permit Modifications, Suspensions and Revocations by the Department

Applicable State Requirement: 6NYCRR 621.14

Item 6.1:

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



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

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

Condition 7: Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.5(a)

Item 7.1:

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

NYSDEC Regional Permit Administrator
Region 1 Headquarters
Division of Environmental Permits
SUNY Campus, Loop Road, Building 40
Stony Brook, NY 11790-2356
(631) 444-0365

Condition 8: Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS

Applicable State Requirement: 6NYCRR 621.6(a)

Item 8.1:

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

NYSDEC Regional Permit Administrator
Region 1 Headquarters
Division of Environmental Permits
Stony Brook University
50 Circle Road
Stony Brook, NY 11790-3409
(631) 444-0365



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: VILLAGE OF FREEPORT
46 N OCEAN AVE
FREEPORT, NY 11520-3023

Facility: FREEPORT POWER PLANT #2
289 BUFFALO AVE
FREEPORT, NY 11520

Authorized Activity By Standard Industrial Classification Code:
4911 - ELECTRIC SERVICES

Permit Effective Date: 05/15/2009

Permit Expiration Date: 05/14/2014



LIST OF CONDITIONS

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Facility Level

- Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
- Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 202-2.1: Compliance Certification
- 6 6NYCRR 202-2.5: Recordkeeping requirements
- 7 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 8 6NYCRR 200.7: Maintenance of Equipment
- 9 6NYCRR 201-1.7: Recycling and Salvage
- 10 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 11 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 12 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 13 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 14 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 15 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 16 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 17 6NYCRR 202-1.1: Required Emissions Tests
- 18 6NYCRR 211.3: Visible Emissions Limited
- 19 40CFR 68: Accidental release provisions.
- 20 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 21 6NYCRR 201-6: Emission Unit Definition
- 22 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 23 6NYCRR 201-6.5(e): Compliance Certification
- 24 6NYCRR 227-1.3(a): Compliance Certification
- 25 6NYCRR 231-2.6: Emission reduction credit creation
- 26 6NYCRR 243-1.6(a): Permit Requirements
- 27 6NYCRR 243-1.6(b): Monitoring requirements
- 28 6NYCRR 243-1.6(c): NOx Ozone Season Emission Requirements
- 29 6NYCRR 243-1.6(d): Excess emission requirements
- 30 6NYCRR 243-1.6(e): Recordkeeping and reporting requirements



- 31 6NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
- 32 6NYCRR 243-2.4: Certificate of representation
- 33 6NYCRR 243-8.1: General requirements
- 34 6NYCRR 243-8.1: Prohibitions
- 35 6NYCRR 243-8.5(d): Quarterly reports
- 36 6NYCRR 243-8.5(e): Compliance certification
- 37 6NYCRR 244-1: CAIR NOx Annual Trading Program General Conditions
- 38 6NYCRR 244-2: Designated CAIR Representative
- 39 6NYCRR 244-8: Compliance Certification
- 40 6NYCRR 245-1: CAIR SO2 Trading Program General Provisions
- 41 6NYCRR 245-2: Designated CAIR Representative
- 42 6NYCRR 245-8: Compliance Certification
- 43 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

Emission Unit Level

- 44 6NYCRR 201-6: Emission Point Definition By Emission Unit
- 45 6NYCRR 201-6: Process Definition By Emission Unit
- 46 6NYCRR 201-7.2: Emission Unit Permissible Emissions

EU=2-00004,Proc=203,ES=00004

- 47 6NYCRR 227-1.2(a)(1): Compliance Certification
- 48 6NYCRR 227-2.4(e)(1): Compliance Certification

EU=2-00004,EP=00004

- 49 6NYCRR 225-1.2(a)(2): Compliance Certification

EU=2-00004,EP=00004,Proc=203,ES=00004

- 50 6NYCRR 204-1.4: Compliance Certification

EU=U-00005

- 51 6NYCRR 201-6: Compliance Certification
- 52 6NYCRR 201-6: Compliance Certification
- 53 6NYCRR 201-6: Compliance Certification
- 54 6NYCRR 201-6: Compliance Certification
- *55 6NYCRR 201-7.2: Capping Monitoring Condition
- *56 6NYCRR 201-7.2: Capping Monitoring Condition
- *57 6NYCRR 201-7.2: Capping Monitoring Condition
- *58 6NYCRR 201-7.2: Capping Monitoring Condition
- *59 6NYCRR 201-7.2: Capping Monitoring Condition
- 60 6NYCRR 202-1.1: Required emission tests
- 61 6NYCRR 204-2.1: Submissions to the Department.
- 62 6NYCRR 204-4.1: Content of reports and compliance certifications.
- 63 6NYCRR 204-4.1: Discretionary report contents.
- 64 6NYCRR 204-4.1: Compliance Certification
- 65 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 66 6NYCRR 204-8.1: Prohibitions.
- 67 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 68 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 69 6NYCRR 204-8.3: Out of control periods.
- 70 6NYCRR 204-8.4: Compliance Certification



- 71 6NYCRR 204-8.7: Compliance Certification
- 72 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
- 73 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
- 74 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
- 75 40CFR 60.7(d), NSPS Subpart A: Excess Emissions Report
- 76 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
- 77 40CFR 60.9, NSPS Subpart A: Availability of information.
- 78 40CFR 60.12, NSPS Subpart A: Circumvention.
- 79 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
- 80 40CFR 60.14, NSPS Subpart A: Modifications.
- 81 40CFR 60.15, NSPS Subpart A: Reconstruction.
- 82 40CFR 60.334(h), NSPS Subpart GG: Compliance Certification

EU=U-00005,EP=EP005,Proc=GAS

- 83 6NYCRR 201-6: Compliance Certification
- 84 6NYCRR 201-6: Compliance Certification
- 85 6NYCRR 201-6: Compliance Certification
- 86 6NYCRR 201-6: Compliance Certification
- 87 6NYCRR 201-6: Compliance Certification
- 88 6NYCRR 201-6: Compliance Certification

EU=U-00005,EP=EP005,Proc=OIL

- 89 6NYCRR 201-6: Compliance Certification
- 90 6NYCRR 201-6: Compliance Certification
- 91 6NYCRR 201-6: Compliance Certification
- 92 6NYCRR 201-6: Compliance Certification
- 93 6NYCRR 201-6: Compliance Certification
- 94 6NYCRR 201-6: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS

Facility Level

- 95 ECL 19-0301: Contaminant List
- 96 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 97 6NYCRR 211.2: Air pollution prohibited
- 98 6NYCRR 237-1.6(c): Compliance Demonstration
- 99 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 100 6NYCRR 237-2: Authorization and responsibilities of the NOx
authorized account representative to be included in new permits.
- 101 6NYCRR 237-4.1: Compliance Demonstration
- 102 6NYCRR 237-8: Compliance Demonstration
- 103 6NYCRR 238-1.6(a): Permit requirements to be included in new permits
or units only
- 104 6NYCRR 238-1.6(c): Compliance Demonstration
- 105 6NYCRR 238-2.1: Submissions to the Department
- 106 6NYCRR 238-8: Monitoring and Reporting requirements

Emission Unit Level

EU=U-00005

- 107 6NYCRR 201-5: Compliance Demonstration

NOTE: * preceding the condition number indicates capping.



FEDERALLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

(1) An emergency occurred and that the facility owner and/or

operator can identify the cause(s) of the emergency;

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

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

(4) The facility owner and/or operator notified the Department

within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)

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



- Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(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 invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

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

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

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the



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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



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

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

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

Effective between the dates of 05/15/2009 and 05/14/2014

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 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 202-2.1

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:

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



emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications, required to operate such device effectively.

Condition 9: Recycling and Salvage
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-1.7

Item 9.1:

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

Condition 10: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-1.8

Item 10.1:

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

Condition 11: Exempt Sources - Proof of Eligibility
Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 11.1:

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

Condition 12: Trivial Sources - Proof of Eligibility
Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 12.1:

The owner and/or operator of an emission source or unit that is listed as being trivial in this Part may be required to certify that it operates within the specific criteria described in this Subpart. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the department upon request. Department representatives must be granted access to any facility which contains



emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other State and Federal air pollution control requirements, regulations, or law.

Condition 13: Standard Requirement - Provide Information
Effective between the dates of 05/15/2009 and 05/14/2014

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 05/15/2009 and 05/14/2014

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 05/15/2009 and 05/14/2014

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

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

Condition 16: Off Permit Changes

Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 16.1:

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

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

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

Condition 17: Required Emissions Tests

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 202-1.1

Item 17.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. Such person shall bear the cost of measurement and preparing the report of measured emissions. Failure of such person to submit a report acceptable to the commissioner within the time stated shall be sufficient reason for the commissioner to suspend or deny a certificate to operate.

Condition 18: Visible Emissions Limited

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 211.3

Item 18.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted



Item 21.1:

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

Emission Unit: 2-00004

Emission Unit Description:

COMBUSTION TURBINE, RATED AT 280 MMBTU/HR,
FIRES NO. 2 FUEL OIL.

Building(s): PP2

Item 21.2:

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

Emission Unit: U-00005

Emission Unit Description:

EMISSION UNIT U00005 REPRESENTS A SINGLE
COMBUSTION TURBINE FIRING NATURAL GAS WITH
LOW SULFUR (0.05%) DISTILLATE OIL AS
BACKUP. UNIT IS EQUIPPED WITH SELECTIVE
CATALYTIC REDUCTION (SCR) AND WATER
INJECTION TO CONTROL NOX EMISSIONS AND AN
OXIDATION CATALYST TO CONTROL CO AND VOC
EMISSIONS. UNIT VENTS THROUGH A 180-FOOT
TALL STACK.

Condition 22: Compliance Certification

Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 22.1:

The Compliance Certification activity will be performed for the Facility.

Item 22.2:

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 45 days after the end of a reporting
period. All instances of deviations from permit
requirements must be clearly identified in such reports.
All required reports must be certified by the responsible
official for this facility.

Notify the Department and report permit deviations and
incidences of noncompliance stating the probable cause of
such deviations, and any corrective actions or preventive
measures taken. Where the underlying applicable
requirement contains a definition of prompt or otherwise



specifies a time frame for reporting deviations, that definition or time frame shall govern. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to the permitting authority based on the following schedule:

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

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

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

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

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

The provisions of 6 NYCRR 201-1.4 shall apply if the permittee seeks to have a violation excused unless otherwise limited by regulation. In order to have a violation of a federal regulation (such as a new source performance standard or national emissions standard for hazardous air pollutants) excused, the specific federal



regulation must provide for an affirmative defense during start-up, shutdowns, malfunctions or upsets. Notwithstanding any recordkeeping and reporting requirements in 6 NYCRR 201-1.4, reports of any deviations shall not be on a less frequent basis than the reporting periods described in paragraphs (1) and (4) above.

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

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 23: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 23.1:

The Compliance Certification activity will be performed for the Facility.

Item 23.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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



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

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

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

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

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

The address for the RAPCE is as follows:

NYSDEC- Region 1 Headquarters



Stony Brook University
50 Circle Road
Stony Brook, NY 11790-3409

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 2/13/2010.
Subsequent reports are due on the same day each year

Condition 24: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 24.1:

The Compliance Certification activity will be performed for the Facility.

Item 24.2:

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 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.
The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.

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

The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated



with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.

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

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: Method 9
Monitoring Frequency: ANNUALLY
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 6 calendar month(s).

Condition 25: Emission reduction credit creation
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 231-2.6

Item 25.1:

The facility has established 72.5 tons per year (tpy) of oxides of nitrogen (NO_x) and 2.3 tons per year (tpy) of volatile organic compound (VOC's) emission reduction credits (ERC's), by the shutdown and removal of two diesel engines; previously known as emission units S-00001 and S-00002. From these ERC's, the Department has retained 18.2 tpy of NO_x and 0.6 tpy of VOC ERC's in accordance with 6 NYCRR 231-2.6(a)(6).

Condition 26: Permit Requirements
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 243-1.6(a)

Item 26.1:

The CAIR designated representative of each CAIR NO_x Ozone Season source shall:
(i) submit to the department a complete CAIR permit application under section 243-3.3 in accordance with the deadlines specified in section 243-3.2; and
(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

The owners and operators of each CAIR NO_x Ozone Season source shall have a CAIR permit issued by the department under Subpart 243-3 for the source and operate the source and the unit in compliance with such CAIR permit.



transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

Condition 29: Excess emission requirements
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 243-1.6(d)

Item 29.1:

If a CAIR NO_x Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO_x Ozone Season emissions limitation, then:

(1) the owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under section 243-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law; and

(2) each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law.

Condition 30: Recordkeeping and reporting requirements
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 243-1.6(e)

Item 30.1:

Unless otherwise provided, the owners and operators of the CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

(i) The certificate of representation under section 243-2.4 for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under section 243-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with Subpart 243-8, provided that to the extent that Subpart 243-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Ozone Season Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Ozone Season Trading Program or to demonstrate



compliance with the requirements of the CAIR NO_x Ozone Season Trading Program.

Condition 31: Authorization and responsibilities of CAIR designated representative
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 243-2.1

Item 31.1:

Except as provided under section 243-2.2, each CAIR NO_x Ozone Season source, including all CAIR NO_x Ozone Season units at the source, shall have one and only one CAIR designated representative, with regard to all matters under the CAIR NO_x Ozone Season Trading Program concerning the source or any CAIR NO_x Ozone Season unit at the source.

The CAIR designated representative of the CAIR NO_x Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NO_x Ozone Season units at the source and shall act in accordance with the certification statement in section 243-2.4(a)(4)(iv).

Upon receipt by the Administrator of a complete certificate of representation under section 243-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NO_x Ozone Season source represented and each CAIR NO_x Ozone Season unit at the source in all matters pertaining to the CAIR NO_x Ozone Season Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit.

No CAIR permit will be issued, no emissions data reports will be accepted, and no CAIR NO_x Ozone Season Allowance Tracking System account will be established for a CAIR NO_x Ozone Season unit at a source, until the Administrator has received a complete certificate of representation under section 243-2.4 for a CAIR designated representative of the source and the CAIR NO_x Ozone Season units at the source.

Each submission under the CAIR NO_x Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NO_x Ozone Season source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

Condition 32: Certificate of representation



quarter covering May 1, 2008 through June 30, 2008;

(ii) for a unit that commences commercial operation on or after July 1, 2007, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 243-8.1(b), unless that quarter is the third or fourth quarter of 2007 or the first quarter of 2008, in which case reporting shall commence in the quarter covering May 1, 2008 through June 30, 2008.

The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

For CAIR NO_x Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO_x mass emission data, heat input data, and other information required by this Subpart.

Condition 36: Compliance certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 243-8.5(e)

Item 36.1:

The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

- (1) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications;
- (2) for a unit with add-on NO_x emission controls and for all hours where NO_x data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO_x emissions; and
- (3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NO_x emission rate and NO_x concentration values substituted for missing data under Subpart D of 40 CFR Part 75 are calculated using only values from a control period and do not systematically underestimate NO_x emissions.

Condition 37: CAIR NO_x Annual Trading Program General Conditions
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 244-1



Item 37.1:

1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not a business day, the owners and operators shall hold, in their compliance account, Clean Air Interstate Rule (CAIR) NO_x allowances available for compliance deductions for the previous control period (January 1 through December 31), in an amount not less than the total tons of nitrogen oxides emissions from all CAIR NO_x units at the source during that control period. A CAIR NO_x allowance shall not be deducted for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.

[244-1.6(c)(1), 244-1.2(b)(5), 244-1.2(b)(36), 244-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR NO_x allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NO_x unit's monitor certification requirements under section 244-8.1(b)(1), (2), or (5) and for each control period thereafter.

[244-1.6(c)(2)]

3) If a CAIR NO_x source emits nitrogen oxides during any control period in excess of the CAIR NO_x emissions limitation, the owners and operators of the CAIR NO_x source shall surrender the CAIR NO_x allowances required for deduction under 6NYCRR Part 244-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this permit, the Act, and applicable State law. [(244-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR NO_x source shall keep on site each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [244-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 244-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 244-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 244-8, provided that to the extent that 6NYCRR Part 244-8 provides for a three year period for recordkeeping, the three year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR NO_x Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program.

Condition 38: Designated CAIR Representative
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 244-2

Item 38.1:

1) Each Clean Air Interstate Rule (CAIR) NO_x source shall have one CAIR designated



representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source.

[244-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [244-2.1(e)]

Condition 39: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 244-8

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting NOX emissions

(1) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in this condition, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1).



(2) The CAIR designated representative shall submit quarterly reports of the the NO_x mass emissions data and heat input data for each CAIR NO_x unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under 6NYCRR Part 244-8.1(b), unless that quarter is the third or fourth quarter of 2007, in which case reporting shall commence in the quarter covering January 1, 2008 through March 31, 2008.

(3) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

(4) For CAIR NO_x units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x Ozone Season Trading Program, CAIR SO₂ Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the NO_x mass emission data, heat input data, and other information required by this Subpart.

(5) 'Compliance certification.' The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that:

(i) the monitoring data submitted were recorded in accordance with the applicable requirements of 6NYCRR Part 244 and 40 CFR Part 75, including the quality assurance procedures and specifications; and

(ii) for a unit with add-on NO_x emission controls and for all hours where NO_x data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate NO_x emissions.

(6) Whenever any monitoring system fails to meet the



quality-assurance and quality-control requirements or data validation requirements of 40 CFR part 75, data shall be substituted using the applicable missing data procedures in Subpart D or Subpart H of, or appendix D or appendix E to 40 CFR part 75. [244-8.3(a)]

(7) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under 6NYCRR Part 244-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record NOx mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 40: CAIR SO2 Trading Program General Provisions
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 245-1

Item 40.1:

1) As of midnight of March 1, or midnight of the first business day thereafter (if March 1 is not a business day) for a control period, the owners and operators of each Clean Air Interstate Rule (CAIR) SO2 source shall hold, in the source's compliance account, a tonnage equivalent in CAIR SO2 allowances available for compliance deductions for the control period (January 1 through December 31) not less than the tons of total sulfur



dioxide emissions for the control period from all CAIR SO₂ units at the source. A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (2) of this section, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated. [(245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36), 245-1.6(c)(3)]

2) The owners and operators shall hold in their compliance account, CAIR SO allowances available for compliance deductions for the control period starting on the later of January 1, 2010 or the deadline for meeting a CAIR SO₂ unit's monitor certification requirements under section 245-8.1(b)(1), (2), or (5) and for each control period thereafter.

[245-1.6(c)(2)]

3) If a CAIR SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, the owners and operators of the source shall surrender the CAIR SO₂ allowances required for deduction under 6NYCRR Part 245-6.5(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Act or applicable State law. Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this Subpart, the Act, and applicable State law. [(245-1.6(d)]

4) Unless otherwise provided, the owners and operators of the CAIR SO₂ source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator: [245-1.6(e)]

(i) The certificate of representation under 6NYCRR Part 245-2.4 for the CAIR designated representative for the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such five-year period until such documents are superseded because of the submission of a new certificate of representation under 6NYCRR Part 245-2.4 changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with 6NYCRR Part 245-8, provided that to the extent that 6NYCRR Part 245-8 provides for a three-year period for recordkeeping, the three-year period shall apply.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CAIR SO₂ Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR SO₂ Trading Program or to demonstrate compliance with the requirements of the CAIR SO₂ Trading Program.

Condition 41: Designated CAIR Representative
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 245-2

Item 41.1:

1) Each CAIR SO₂ source shall have one and only one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 245-2.2, with regard to all matters under the CAIR SO₂ Trading Program. The CAIR designated representative of the CAIR SO₂ source shall be selected by an agreement binding on the owners and operators of the source and all CAIR SO₂ units at the source and shall act in accordance with the certification statement in 6NYCRR Part 245-2.4(a)(4)(iv). Upon receipt by the



Administrator of a complete certificate of representation under 6NYCRR Part 245-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR SO₂ source represented and each CAIR SO₂ unit at the source in all matters pertaining to the CAIR SO₂ Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source or unit. [245-2.1(a), (b) & (c)]

(2) Each submission under the CAIR SO₂ Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR SO₂ source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [245-2.1(e)]

Condition 42: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 245-8

Item 42.1:

The Compliance Certification activity will be performed for the Facility.

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

Item 42.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring and Reporting SO₂ emissions:

1) The owners and operators, and to the extent applicable, the Clean Air Interstate Rule (CAIR) designated representative, of a CAIR SO₂ unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 245-8 and in 40 CFR Part 75, Subparts F and G. For purposes of complying with such requirements, the definitions in section 245-1.2 and 40 CFR 72.2 shall apply, and the terms "affected unit," "designated representative," and "continuous emission monitoring system" (or "CEMS") in 40 CFR Part 75 shall be deemed to refer to the terms "CAIR SO₂ unit," "CAIR



designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 245-1.2. The owner or operator of a unit that is not a CAIR SO₂ unit but that is monitored under 40 CFR 75.16(b)(2) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR SO₂ unit. [245-8.1]

2)The owner or operator of each CAIR SO₂ unit shall:
[245-8.1(a)]

(i) install all monitoring systems required under this Subpart for monitoring SO₂ mass emissions and individual unit heat input (including all systems required to monitor SO₂ concentration, stack gas moisture content, stack gas flow rate, CO₂ or O₂ concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.11 and 40 CFR 75.16);

(ii) successfully complete all certification tests required under Part 245-8.2 and meet all other requirements of this section and 40 CFR Part 75 applicable to the monitoring systems under this section; and

(iii) record, report, and quality-assure the data from the monitoring systems under paragraph of this section.

3) The owner or operator shall meet the monitoring system certification and other requirements of section 245-8.1(a)(1) and (2) on or before the following dates.

The owner or operator shall record, report, and quality-assure the data from the monitoring systems under section 245-8.1(a)(1) on and after the following dates.

[245-8.1(b)]

(i) For the CAIR SO₂ unit that commences commercial operation before July 1, 2008, by January 1, 2009.

(ii) For the CAIR SO₂ unit that commences commercial operation on or after July 1, 2008, by the later of the following dates: January 1, 2009; or 90 unit operating days or 180 calendar days, whichever occurs first, after the date on which the unit commences commercial operation.

4) Whenever the owner or operator makes a replacement, modification, or change in any certified continuous emission monitoring system under section 245-8.1(a)(1) that may significantly affect the ability of the system to accurately measure or record SO₂ mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may



significantly change the stack flow or concentration profile, the owner or operator shall recertify each continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include: replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system under section 245-8.1(a)(1) is subject to the recertification requirements in 40 CFR 75.20(g)(6). [245-8.2(d)(2)]

5) Whenever any monitoring system fails to meet the quality-assurance and quality-control requirements or data validation requirements of 40 CFR Part 75, data shall be substituted using the applicable missing data procedures in Subpart D of or appendix D to 40 CFR Part 75. [245-8.3(a)]

6) The CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 245-8.3, the applicable recordkeeping and reporting requirements in Subparts F and G of 40 CFR Part 75, and the requirements of section 245-2.1(e)(1). [245-8.5(a)]

7) The owner or operator of a CAIR SO₂ unit shall comply with requirements of 40 CFR 75.62 for monitoring plans. [245-8.5(b)]

8) The CAIR designated representative shall submit an application to the department within 45 days after completing all initial certification or recertification tests required under section 245-8.2, including the information required under 40 CFR 75.63. [245-8.5(c)]

9) The CAIR designated representative shall submit quarterly reports of the SO₂ mass emissions data and heat input data for each CAIR SO₂ unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with: [245-8.5(d)(1)]

i) the calendar quarter covering January 1, 2009 through March 31, 2009 for a unit that commences commercial operation before July 1, 2008; or

ii) for a unit that commences commercial operation on or after July 1, 2008, the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 245-8.1(b), unless that quarter is the third or fourth quarter of 2008, in which case reporting shall



commence in the quarter covering January 1, 2009 through March 31, 2009.

10) The CAIR designated representative shall submit each quarterly report to the Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.64. [245-8.5(d)(2)]

11) For CAIR SO₂ units that are also subject to an Acid Rain emissions limitation or the CAIR NO_x Annual Trading Program, CAIR NO_x Ozone Season Trading Program, or the Mercury Reduction Program for Coal-Fired Electric Utility Steam Generating Units (6 NYCRR Part 246), quarterly reports shall include the applicable data and information required by Subparts F through I of 40 CFR Part 75 as applicable, in addition to the SO₂ mass emission data, heat input data, and other information required by this Subpart. [245-8.5(d)(3)]

12) The CAIR designated representative shall submit to the Administrator a compliance certification (in a format prescribed by the Administrator) in support of each quarterly report based on reasonable inquiry of those persons with primary responsibility for ensuring that all of the unit's emissions are correctly and fully monitored. The certification shall state that: [245-8.5(e)]

- i) the monitoring data submitted were recorded in accordance with the applicable requirements of this Subpart and 40 CFR Part 75, including the quality assurance procedures and specifications; and
- ii) for a unit with add-on SO₂ emission controls and for all hours where SO₂ data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emission controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B to 40 CFR Part 75 and the substitute data values do not systematically underestimate SO₂ emissions.

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 43: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 40CFR 72

Item 43.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts



72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

Condition 44: Emission Point Definition By Emission Unit
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 44.1:

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

Emission Unit: 2-00004

Emission Point: 00004

Height (ft.): 80

Diameter (in.): 96

NYTMN (km.): 4500.236 NYTME (km.): 621.037 Building: PP2

Item 44.2:

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

Emission Unit: U-00005

Emission Point: EP005

Height (ft.): 180

Diameter (in.): 126

NYTMN (km.): 4500.252 NYTME (km.): 621.057

Condition 45: Process Definition By Emission Unit
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 45.1:

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

Emission Unit: 2-00004

Process: 203

Source Classification Code: 2-01-001-09

Process Description:

SINGLE COMBUSTION TURBINE RATED AT 280

MMBTU/HR FIRES No. 2 FUEL OIL

Emission Source/Control: 00004 - Combustion

Item 45.2:

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

Emission Unit: U-00005

Process: GAS

Source Classification Code: 2-01-002-01

Process Description:

EMISSION UNIT U00005, PROCESS GAS,

REPRESENTS A SINGLE COMBUSTION TURBINE

FIRING NATURAL GAS. WATER INJECTION AND



SELECTIVE CATALYTIC REDUCTION (SCR) WILL BE EMPLOYED FOR THE CONTROL OF NOX EMISSIONS. AN OXIDATION CATALYST WILL BE EMPLOYED TO CONTROL CO AND VOC EMISSIONS.

Emission Source/Control: CT001 - Combustion
Design Capacity: 480 million Btu per hour

Emission Source/Control: CO001 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR00 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: WI001 - Control
Control Type: WATER INJECTION

Item 45.3:

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

Emission Unit: U-00005

Process: OIL

Source Classification Code: 2-01-001-01

Process Description:

EMISSION UNIT U00005, PROCESS OIL, REPRESENTS A SINGLE COMBUSTION TURBINE FIRING LOW SULFUR (0.05%) DISTILLATE OIL. WATER INJECTION AND SELECTIVE CATALYTIC REDUCTION (SCR) WILL BE EMPLOYED FOR THE CONTROL OF NOX EMISSIONS. AN OXIDATION CATALYST WILL BE EMPLOYED TO CONTROL CO AND VOC EMISSIONS.

Emission Source/Control: CT001 - Combustion
Design Capacity: 480 million Btu per hour

Emission Source/Control: CO001 - Control
Control Type: CATALYTIC OXIDATION

Emission Source/Control: SCR00 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Emission Source/Control: WI001 - Control
Control Type: WATER INJECTION

Condition 46: Emission Unit Permissible Emissions
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-7.2

Item 46.1:

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



Emission Unit: U-00005

CAS No: 000630-08-0

Name: CARBON MONOXIDE

PTE(s): 24 pounds per hour

109,000 pounds per year

CAS No: 0NY075-00-0

Name: PARTICULATES

PTE(s): 4.6 pounds per hour

27,000 pounds per year

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

PTE(s): 4.5 pounds per hour

29,600 pounds per year

Condition 47: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 227-1.2(a)(1)

Item 47.1:

The Compliance Certification activity will be performed for:

Emission Unit: 2-00004

Process: 203

Emission Source: 00004

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 47.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Particulate emission limit for singular gas turbines or multiple gas turbines ducted through a common stack, which fire liquid fuels, and that have a heat capacity exceeding 250 mmBtu/hr.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.1 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

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

Condition 48: Compliance Certification



Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 48.1:

The Compliance Certification activity will be performed for:

Emission Unit: 2-00004

Process: 203

Emission Source: 00004

Regulated Contaminant(s):

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

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

NOx emission limit for simple cycle gas turbines firing multiple fuels.

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 100.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: Per Protocol

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

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

Condition 49: Compliance Certification

Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 49.1:

The Compliance Certification activity will be performed for:

Emission Unit: 2-00004

Emission Point: 00004

Item 49.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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



Work Practice Type: PARAMETER OF PROCESS MATERIAL
 Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
 Parameter Monitored: SULFUR CONTENT
 Upper Permit Limit: 0.37 percent by weight
 Monitoring Frequency: PER DELIVERY
 Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
 Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
 Reports due 30 days after the reporting period.
 The initial report is due 8/30/2009.
 Subsequent reports are due every 6 calendar month(s).

Condition 50: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 204-1.4

Item 50.1:

The Compliance Certification activity will be performed for:

Emission Unit: 2-00004	Emission Point: 00004
Process: 203	Emission Source: 00004

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

Item 50.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The annual operation of the Curtiss-Wright turbine is limited to 133 hours during the control period of May 1 through September 30 of each year. This limit will restrict emissions to 22.5 tons or below (i.e., 10% less than 25 tpy) during the control period from May 1 until September 30 of each year, and will therefore allow the permittee to avoid the NOx Budget requirements of Part 204. The 133 hour limit is based on the default NOx emission rate in Table LM-2 of 40 CFR 75.19 and the rated capacity of this unit.

During the control period, and at all other times, only the fuel oil specified in this permit can be burned.

The permittee shall record and track the dates and hours of operation of this turbine in a written log that will be available for inspection by the Department or EPA during normal business hours demonstrating that this limit has not been exceeded. The permittee shall retain, at the



source, records for 5 years demonstrating that the operating hours restriction, the fuel use restriction, and the other requirements of this permit related to these restrictions were met. Additionally, the permittee shall report the unit's hours of operation (treating any partial hour of operation as a whole hour of operation) during each control period to the Department by November 1 of each year.

All data from monitoring required under this condition shall be summarized in each semiannual report and annual compliance certification, required elsewhere in this permit.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 133 hours

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 51: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 201-6

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 51.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

A shutdown shall be defined, for the purposes of this permit, as the period of time when the stop signal is initiated to when fuel is no longer being combusted in the engine, not to exceed 20 minutes per occurrence. The owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emission report.

Parameter Monitored: DURATION OF SHUTDOWN

Upper Permit Limit: 20 minutes



Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 52: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 52.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Startup shall be defined as the 30 minutes period of time beginning when the gas turbine begins firing fuel. The permittee shall record the date and time of each startup. A report consisting of the recorded information shall be submitted to the Department quarterly with the permittee's required excess emission report. All records shall be maintained by the applicant at their facility for a minimum of five years.

Parameter Monitored: DURATION OF START UP

Upper Permit Limit: 30 minutes

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 53: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 53.1:

The Compliance Certification activity will be performed for:



Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This limit shall apply only during periods of distillate oil firing start-up, not to exceed 30 minutes per occurrence. Emission in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: CO CEM

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 15 pounds

Reference Test Method: 40 CFR 60 Appendix B&F

Monitoring Frequency: CONTINUOUS

Averaging Method: AVERAGING METHOD - SEE MONITORING

DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 54: Compliance Certification

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 201-6

Item 54.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

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

Work Practice Type: PARAMETER OF PROCESS MATERIAL



Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 55.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

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

Monitoring Description:

The permittee will monitor hours of operation while firing natural gas and #1 or #2 distillate oil to keep potential new PM-10 emissions from Power Plant #2 below 13.5 tons per year. A maximum short term emission rate in lb/hr for natural gas and distillate oil firing will be multiplied by the number of hours of each fuel's firing to yield the annual PM-10 emissions. These maximum short term emission rates shall be as measured during the most recent stack testing required under this permit.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 13.5 tons per year

Reference Test Method: Per description

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 56: Capping Monitoring Condition

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-7.2

Item 56.1:

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

6NYCRR 231-2

Item 56.2:

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

Item 56.3:

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



other state and federal air pollution control requirements, regulations or law.

Item 56.4:

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

Item 56.5:

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

Item 56.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 56.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The permittee shall install, calibrate, maintain, and operate a continuous emissions monitor for carbon monoxide, and shall insure that the cap indicated below is not exceeded on an annual average basis. The oxidation catalyst system shall be operated so as to maintain emissions below this cap. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: CO Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 54.5 tons per year

Reference Test Method: 40 CFR 60 Appendix F

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 57: Capping Monitoring Condition

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-7.2



Item 57.1:

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

40CFR 52-A.21

Item 57.2:

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

Item 57.3:

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

Item 57.4:

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

Item 57.5:

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

Item 57.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 57.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The permittee will monitor number of hours of operation while firing #1 or #2 distillate oil to keep potential new PM-10 emissions from Power Plant #2 below 13.5 tons per year.

The following equation will be utilized to calculate the



lbs of PM-10:

Hours on distillate oil*(distillate oil emission rate (in lbs. PM-10/hr)) plus Hours on Natural Gas*(Natural gas emission rate (in lbs. PM-10 per hour)) must be less than or equal to 27,000 lbs PM10 minus 316 lbs PM10 from the cooling tower

The maximum number of hours that distillate oil can be fired is 480 hours per year. The 480 hours will be reduced according to the formula above as necessary when natural gas is burned. The permittee shall maintain a written log of the hours that this unit operates on distillate oil and natural gas. This log shall be available for inspection by the Department upon request.

The emission rates used in the above equation shall be as measured during the most recent stack testing required elsewhere in this permit.

Work Practice Type: HOURS PER YEAR OPERATION

Upper Permit Limit: 480 hours

Monitoring Frequency: DAILY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 58: Capping Monitoring Condition
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-7.2

Item 58.1:

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

40CFR 52-A.21

Item 58.2:

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

Item 58.3:

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



Item 58.4:

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

Item 58.5:

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

Item 58.6:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 58.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

The permittee must monitor number of hours of operation while firing natural gas to keep potential new PM-10 emissions from Power Plant #2 below 13.5 tons per year.

The following equation will be utilized to calculate the lbs of PM-10:

Hours on distillate oil*(distillate oil emission rate (in lbs. PM-10/hr)) plus Hours on Natural Gas*(Natural gas emission rate (in lbs. PM-10 per hour)) must be less than or equal to 27,000 lbs PM10 minus 316 lbs PM10 from the cooling tower

The maximum number of hours that natural gas can be fired is 5757 hours per year. If distillate oil is fired, the 5757 hours will be reduced according to the formula above.

The permittee shall maintain a written log of the hours that this unit operates on distillate oil and natural gas.

This log shall be available for inspection by the Department upon request.

Figure 5 of the September 2002 application document for this permit is hereby made a part of this permit.



The emission rates used in the above equation shall be as measured during the most recent stack testing required elsewhere in this permit.

Work Practice Type: HOURS PER YEAR OPERATION
Upper Permit Limit: 5757 hours
Monitoring Frequency: DAILY
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 59: Capping Monitoring Condition
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 201-7.2

Item 59.1:

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

6NYCRR 231-2

Item 59.2:

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

Item 59.3:

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

Item 59.4:

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

Item 59.5:

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

Item 59.6:

The Compliance Certification activity will be performed for:



Emission Unit: U-00005

Regulated Contaminant(s):

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

Item 59.7:

Compliance Certification shall include the following monitoring:

Capping: Yes

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The permittee shall install, calibrate, maintain, and operate a continuous emissions monitor for oxides of nitrogen, and shall insure that the cap indicated below is not exceeded on an annual average basis. The SRC system shall be operated so as to maintain emissions below this cap. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: CEMs NOx analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 14.8 tons per year

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 60: Required emission tests

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 202-1.1

Item 60.1:

This Condition applies to Emission Unit: U-00005

Item 60.2:

An acceptable report of measured emissions shall be submitted, as required by the commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation.

Condition 61: Submissions to the Department.

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 204-2.1

Item 61.1:

This Condition applies to Emission Unit: U-00005



Item 61.2: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.1(e)(1)) by the NOx authorized account representative.

Condition 62: Content of reports and compliance certifications.
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 62.1:

This Condition applies to Emission Unit: U-00005

Item 62.2: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

- (1) Identification of each NOx Budget unit; and
- (2) In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx Budget units at the source in compliance with the NOx Budget Trading Program, whether each NOx Budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the NOx Budget Trading Program applicable to the unit, including:
 - (i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
 - (ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
 - (iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
 - (iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
 - (v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Condition 63: Discretionary report contents.
Effective between the dates of 05/15/2009 and 05/14/2014



Applicable Federal Requirement:6NYCRR 204-4.1

Item 63.1:

This Condition applies to Emission Unit: U-00005

Item 63.2: At the NOx authorized account representative's option the following may be included in the compliance certification report:

- (1) The serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under Section 204-6.5 for the control period; and
- (2) For units sharing a common stack and having NOx emissions that are not monitored separately or apportioned in accordance with Subpart 204-8, the percentage of NOx allowances that is to be deducted from each unit's compliance account under Subdivision 204-6.5(e).

Condition 64: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 204-4.1

Item 64.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 64.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NOx Budget units at a source are subject to the NOx Budget emissions limitation, the NOx authorized account representative of the source shall submit to the Department and the Administrator by November 30 of that year, a compliance certification report for each source covering all such units.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 65: Submission of NOx allowance transfers.
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 204-7.1

Item 65.1:

This Condition applies to Emission Unit: U-00005

Item 65.2: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:



- (a) The numbers identifying both the transferor and transferee accounts;
- (b) A specification by serial number of each NOx allowance to be transferred; and
- (c) The printed name and signature of the NOx authorized account representative of the transferor account and the date signed.

Condition 66: Prohibitions.
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 204-8.1

Item 66.1:
This Condition applies to Emission Unit: U-00005

Item 66.2: No owner or operator of a NOx Budget unit or a non-NOx Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

- (1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
- (2) operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;
- (3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and
- (4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:
 - (i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or
 - (ii) The NOx authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

Condition 67: Requirements for installation, certification, and data accounting.
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 204-8.1

Item 67.1:
This Condition applies to Emission Unit: U-00005

Item 67.2: The owner or operator of each NOx Budget unit must meet the following



requirements. These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

- (1) Install all monitoring systems required under this Subpart for monitoring NOx mass. This includes all systems required to monitor NOx emission rate, NOx concentration, heat input, and air or fuel flow, in accordance with 40 CFR 75.71 and 75.72.
- (2) Install all monitoring systems for monitoring heat input, if required under Section 204-8.7 for developing NOx allowance allocations.
- (3) Successfully complete all certification tests required under Section 204-8.2 and meet all other provisions of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraphs (a)(1) and (2) of this section.
- (4) Record and report data from the monitoring systems under paragraphs (a)(1) and (2) of this section.

**Condition 68: Requirements for recertification of monitoring systems.
Effective between the dates of 05/15/2009 and 05/14/2014**

Applicable Federal Requirement:6NYCRR 204-8.2

Item 68.1:

This Condition applies to Emission Unit: U-00005

Item 68.2: Whenever the owner or operator makes a replacement, modification, or change in a certified monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NOx mass emissions or heat input or to meet the requirements of 40 CFR 75.21 or Appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system according to 40 CFR 75.20(b). Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

**Condition 69: Out of control periods.
Effective between the dates of 05/15/2009 and 05/14/2014**

Applicable Federal Requirement:6NYCRR 204-8.3

Item 69.1:

This Condition applies to Emission Unit: U-00005

Item 69.2: Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

**Condition 70: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014**

Applicable Federal Requirement:6NYCRR 204-8.4



Item 70.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 70.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Authorized Account Representative for a NOx Budget unit shall submit written notice to the Department and the USEPA Administrator in accordance with the requirements of this subpart as follows:

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department (one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office. All Authorized Account Representative changes shall be sent to the NYSDEC central office.

All quarterly emission data shall be electronically filed with the USEPA Clean Air Markets Division with a copy (disc or hard copy) to the NYSDEC offices.

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division
401 M Street SW (6204J)
Washington D.C. 20460

CEM Coordinator
USEPA-Region 2
2890 Woodbridge Avenue
Edison, N.J. 08837

The address for the BCME is as follows:

NYSDEC
Bureau of Compliance Monitoring and Enforcement
625 Broadway, 2nd Floor
Albany N.Y. 12233-3258

ACR changes should be sent to the attention of:



NYSDEC
Stationary Source Planning Section
Bureau of Air Quality Planning
625 Broadway, 2nd Floor
Albany NY 12233-3251

The address for the RAPCE is as follows:

NYS SUNY
Building 40
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 71: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 204-8.7

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owner or operator of a unit that elects to monitor and report NOx Mass emissions using a NOx concentration system and a flow system shall also monitor and report heat input at the unit level using the procedures set forth in 40 CFR Part 75.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 72: EPA Region 2 address.
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 72.1:

This Condition applies to Emission Unit: U-00005

Item 72.2:

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



a malfunction;

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

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

Condition 75: Excess Emissions Report
Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 75.1:

This Condition applies to Emission Unit: U-00005

Item 75.2:

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

Condition 76: Facility files for subject sources.
Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 76.1:

This Condition applies to Emission Unit: U-00005

Item 76.2:

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

Condition 77: Availability of information.
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 77.1:

This Condition applies to Emission Unit: U-00005

Item 77.2:

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter.



Condition 78: Circumvention.

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 78.1:

This Condition applies to Emission Unit: U-00005

Item 78.2:

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

Condition 79: Monitoring requirements.

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 79.1:

This Condition applies to Emission Unit: U-00005

Item 79.2:

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

Condition 80: Modifications.

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 80.1:

This Condition applies to Emission Unit: U-00005

Item 80.2:

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

Condition 81: Reconstruction.

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 81.1:

This Condition applies to Emission Unit: U-00005

Item 81.2:

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



- 1) a notice of intent to reconstruct 60 days prior to the action;
- 2) name and address of the owner or operator;
- 3) the location of the existing facility;
- 4) a brief description of the existing facility and the components to be replaced;
- 5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;
- 6) an estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility;
- 7) the estimated life of the facility after the replacements; and
- 8) a discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

Condition 82: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

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

Item 82.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 82.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The facility is subject to the monitoring provisions of 40 CFR 334(h). Per §60.334(h)(2), the facility is not required to monitor nitrogen content of fuel (natural gas or distillate oil) since the facility is not claiming an allowance for fuel bound nitrogen. Per §60.334(h)(3), the facility is not required to monitor the sulfur content of natural gas since the facility has made an initial demonstration that the natural gas received meets the definition of natural gas in §60.331(u). The facility shall monitor the sulfur content of distillate oil burned in the turbine per §60.334(i)(1). Reports of fuel oil burned in excess of 0.8 weight percent shall be submitted in the facility's quarterly excess emissions report.



Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

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 8/30/2009.

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

Condition 83: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 83.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: EP005
Process: GAS

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

Item 83.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall continuously monitor emissions of oxides of nitrogen. This limit shall apply during all periods of operation except during startup or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report.

Manufacturer Name/Model Number: NOx Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 4.5 pounds per hour

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 84: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 84.1:



reported quarterly through the facility's excess emissions report.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 15.0 pounds
Reference Test Method: 40 CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 87: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 201-6

Item 87.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: EP005
Process: GAS

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

Item 87.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The permittee shall continuously monitor emissions of oxides of nitrogen. This limit shall apply during periods of shutdown, not to exceed 20 minutes per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 5.0 pounds
Reference Test Method: 40 CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO EXCEED STATED VALUE -
SEE MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 88: Compliance Certification



Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 88.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: EP005
Process: GAS

Regulated Contaminant(s):
CAS No: 000630-08-0 CARBON MONOXIDE

Item 88.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall continuously monitor emissions of CO. Emissions in excess of this limit shall be reported quarterly through the facilities excess emissions report.

Manufacturer Name/Model Number: CO Analyzer

Parameter Monitored: CARBON MONOXIDE

Upper Permit Limit: 24.0 pounds per hour

Reference Test Method: 40 CFR 60 Appendix F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 89: Compliance Certification

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 89.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: EP005
Process: OIL

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

Item 89.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:



The maximum hourly emission for particulates while distillate oil in this unit is 45 pounds per hour. Emission testing must be conducted to demonstrate compliance with this limit.

This testing must be done using EPA-approved methods, and according to a protocol submitted by the permittee and approved by the Department. The requirements under 40 CFR Part 60 related to stack testing, addressed in specific conditions elsewhere in this permit, must be met. The results of this testing must be submitted to the Department within 30 days of the conduction of the stack tests.

Parameter Monitored: PARTICULATES
Upper Permit Limit: 45.0 pounds per hour
Reference Test Method: Method 5
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 90: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 201-6

Item 90.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: EP005
Process: OIL

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

Item 90.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:

This limit shall apply only during periods of distillate oil firing start-up, not to exceed 30 minutes per occurrence. Emission in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: NOx analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 35 pounds
Reference Test Method: 40 CFR 74
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER



OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 91: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 91.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Emission Point: EP005

Process: OIL

Regulated Contaminant(s):

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

Item 91.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

This limit shall apply only during periods of distillate oil firing shutdown, not to exceed 20 minutes per occurrence. Emission in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: NOx CEM

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 8 pounds

Reference Test Method: 40 CFR 75

Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER
OCCURRENCE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 92: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement:6NYCRR 201-6

Item 92.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Emission Point: EP005



Process: OIL

Regulated Contaminant(s):

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

Item 92.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall continuously monitor emissions of oxides of nitrogen. This limit shall apply during all periods of operation except during startup or shutdown. Emissions in excess of this limit shall be reported quarterly through the facilities excess emissions report.

Manufacturer Name/Model Number: NOx Analyzer

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 17.0 pounds per hour

Reference Test Method: 40 CFR Part 75

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

Condition 93: Compliance Certification

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 201-6

Item 93.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005

Emission Point: EP005

Process: OIL

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 93.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The owner or operator shall continuously monitor emissions of CO. Emissions in excess of this limit shall be reported quarterly through the facilities excess emissions report.

Manufacturer Name/Model Number: CO Analyzer



Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 1.75 pounds per hour
Reference Test Method: 40 CFR 60 Appendix F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).

Condition 94: Compliance Certification
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable Federal Requirement: 6NYCRR 201-6

Item 94.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00005 Emission Point: EP005
Process: OIL

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

Item 94.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

Stack concentrations of oxides of nitrogen from this unit is limited to 9.0 ppmv on a dry basis @15% oxygen while burning distillate oil. The permittee shall install, calibrate, maintain, and operate a continuous 40 CFR Part 75 emissions monitor for measuring and recording oxides of nitrogen. All records shall be maintained at the facility for a minimum of five years.

The 9.0 ppmvd limit shall be applicable during periods of steady state operation where the unit operated 16 or more minutes consecutively in one clock hour. When the unit operates in steady state less than 16 minutes (consecutively in one clock hour, and excluding startup and shutdown) the 9.0 ppmvd limit does not apply, but a mass emission limit of 7.5 pounds does apply. Emissions in excess of either the 9.0 ppmvd limit or the 7.5 pound limit shall be reported quarterly through the facilities excess emissions report.

Manufacturer Name/Model Number: NOx Analyzer
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 9.0 parts per million by volume
(dry, corrected to 15% O₂)
Reference Test Method: 40 CFR Part 75



Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 8/30/2009.
Subsequent reports are due every 3 calendar month(s).



STATE ONLY ENFORCEABLE CONDITIONS

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

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

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

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

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

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

STATE ONLY APPLICABLE REQUIREMENTS

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

Condition 95: Contaminant List
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:ECL 19-0301

Item 95.1:

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

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

CAS No: 007446-09-5



Name: SULFUR DIOXIDE

CAS No: 007664-41-7

Name: AMMONIA

CAS No: 0NY075-00-0

Name: PARTICULATES

CAS No: 0NY210-00-0

Name: OXIDES OF NITROGEN

**Condition 96: Unavoidable noncompliance and violations
Effective between the dates of 05/15/2009 and 05/14/2014**

Applicable State Requirement:6NYCRR 201-1.4

Item 96.1:

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

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

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

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



of the malfunction and the air contaminants emitted.

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

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

Condition 97: Air pollution prohibited
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 211.2

Item 97.1:

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

Condition 98: Compliance Demonstration
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 237-1.6(c)

Item 98.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 98.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators of each NO_x budget source and each NO_x budget unit at the source shall hold NO_x allowances available for compliance deductions under NYCRR 237-6.5, as of the NO_x allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total NO_x emissions for the control period from the unit, as determined in accordance with NYCRR 237-8.

Each ton of NO_x emitted in excess of the NO_x budget emissions limitation shall constitute a separate violation of applicable State law.



A NOx budget unit shall be subject to the requirements under NYCRR 237-1.6(c)(1) starting when the unit commences operation.

NOx allowances shall be held in, deducted from, or transferred among NOx Allowance Tracking System accounts in accordance with NYCRR 237-5, 237-6, 237-7, and 237-9.

Except for future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), a NOx allowance shall not be deducted, in order to comply with the requirements under NYCRR 237-1.6(c)(1), for a control period in a year prior to the year for which the NOx allowance was allocated.

A NOx allowance allocated by the department under the Acid Deposition Reduction (ADR) NOx Budget Trading Program is a limited authorization to emit one ton of NOx in accordance with the ADR NOx Budget Trading Program. No provision of the ADR NOx Budget Trading Program, the NOx budget permit application, or the NOx budget permit or any provision of law shall be construed to limit the authority of the State to terminate or limit such authorization.

A NOx allowance allocated by the department under the ADR NOx Budget Trading Program does not constitute a property right.

The owners and operators of a NOx budget unit that has excess emissions in any control period shall: Forfeit the NOx allowances required for deduction under NYCRR 237-6.5(d)(1); and pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 237-6.5(d)(3).

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 99: Recordkeeping and Reporting Requirements
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 237-1.6(e)

Item 99.1:

Unless otherwise provided, the owners and operators of the NOx budget source and each NOx budget unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the department:

1) The account certificate of representation for the NOx authorized account representative for the source and each NOx budget unit at the source and all documents that demonstrate



signed, and certified by the NOx authorized account representative for each NOx budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the NOx authorized account representative: "I am authorized to make this submission on behalf of the owners and operators of the NOx budget sources or NOx budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

Condition 101: Compliance Demonstration
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 237-4.1

Item 101.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 101.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For each control period in which one or more NOx budget units at a source are subject to the NOx budget emissions limitation, the NOx authorized account representative of the source shall submit to the department by the September 30 following the relevant control period, a compliance certification report for each source covering all such units.

The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the NOx budget emissions limitation for the control period covered by the report:

- (1) identification of each NOx budget unit;
- (2) except in instances when the NOx budget unit seeks to use future control period NOx allowances which may be deducted pursuant to NYCRR 237-6.5(f), at the NOx authorized account representative's option, the serial numbers of the NOx allowances that are to be deducted from each unit's compliance account under NYCRR 237-6.5 for the control period;
- (3) at the NOx authorized account representative's option,



for units sharing a common stack and having NO_x emissions that are not monitored separately or apportioned in accordance with NYCRR 237-8, the percentage of NO_x allowances that is to be deducted from each unit's compliance account under NYCRR 237-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 237-6.5(f), the statement of intent and report required under NYCRR 237-6.5(f)(2); and

(5) the compliance certification under NYCRR 237-4(c).

In the compliance certification report the NO_x authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NO_x budget units at the source in compliance with the Acid Deposition Reduction (ADR) NO_x Budget Trading Program, whether each NO_x budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NO_x Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the NO_x budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NO_x emissions to the unit, in accordance with NYCRR 237-8;

(c) whether all the NO_x emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with NYCRR 237-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under NYCRR 237-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under NYCRR 237-8, if any, has changed; and

(e) if a change is required to be reported in (4) above,



specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 102: Compliance Demonstration
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 237-8

Item 102.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 102.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx budget unit, shall comply with the monitoring and reporting requirements as provided in this NYCRR 237-8 and in Subpart H of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 237-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "NOx budget unit," and "NOx authorized account representative," respectively, as defined in section 237-1.2.

For any NOx budget unit which is also a NOx budget unit under Part 204 of this title, prior or contemporaneous timely submissions in compliance with the requirements of Subpart 204-8 may, when appropriate, be summarily referenced by the owners and operators of the NOx budget unit in order to demonstrate compliance with the requirements of this Subpart:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD - SEE MONITORING DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 103: Permit requirements to be included in new permits or units only

Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 238-1.6(a)



Item 103.1:

The SO₂ authorized account representative of each SO₂ budget unit shall:

(i) submit to the department a complete SO₂ budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2, which states the later of October 1, 2004 or 12 months before the date on which the SO₂ budget unit commences operation;

(ii) submit in a timely manner any supplemental information that the department determines is necessary in order to review an SO₂ budget permit application and issue or deny an SO₂ budget permit.

The owners and operators of each SO₂ budget unit shall have an SO₂ budget permit and operate the unit in compliance with such SO₂ budget permit.

Condition 104: Compliance Demonstration
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 238-1.6(c)

Item 104.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 104.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Owners and operators of each SO₂ budget source and each SO₂ budget unit at the source shall hold SO₂ allowances available for compliance deductions under NYCRR 238-6.5, as of the SO₂ allowance transfer deadline, in the unit's compliance account and the source's overdraft account in an amount not less than the total SO₂ emissions for the control period from the unit, as determined in accordance with NYCRR 238-8.

Each ton of sulfur dioxide emitted in excess of the SO₂ budget emissions limitation shall constitute a separate violation of this Part, the Act, and applicable State law.

An SO₂ budget unit shall be subject to the requirements under NYCRR 1.6 (c)(1) on the date on which the unit commences operation.

SO₂ allowances shall be held in, deducted from, or transferred among SO₂ Allowance Tracking System accounts in accordance with NYCRR 238-5, 238-6, and 238-7.



Except for future control period SO₂ allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO₂ allowance shall not be deducted, in order to comply with the requirements under NYCRR 238-1.6(c)(1) for a control period in a year prior to the year for which the SO₂ allowance was allocated.

An SO₂ allowance allocated by the department under the ADR SO₂ budget Trading Program is a limited authorization to emit one ton of sulfur dioxide in accordance with the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program. No provision of the ADR SO₂ Budget Trading Program, the SO₂ budget permit application, or the SO₂ budget permit or any provision of law shall be construed to limit the authority of the United States or the State to terminate or limit such authorization.

An SO₂ allowance allocated by the department under the ADR SO₂ Budget Trading Program does not constitute a property right.

The owners and operators of an SO₂ budget unit that has excess emissions in any control period shall: Forfeit the SO₂ allowances required for deduction under NYCRR 238-6.5(d)(1); and Pay any fine, penalty, or assessment or comply with any other remedy imposed under NYCRR 238-6.5(d)(3).

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 3/2/2010.
Subsequent reports are due every 12 calendar month(s).

Condition 105: Submissions to the Department
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 238-2.1

Item 105.1:

Each submission under the Acid Deposition Reduction (ADR) SO₂ Budget Trading Program shall be submitted, signed, and certified by the SO₂ authorized account representative for each SO₂ budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO₂ authorized account representative:

"I am authorized to make this submission on behalf of the owners and operators of the SO₂ budget sources or SO₂ budget units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and



complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

Condition 106: Monitoring and Reporting requirements
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 238-8

Item 106.1: The owners and operators, and to the extent applicable, the SO₂ authorized account representative of an SO₂ budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO₂ budget unit," and "SO₂ authorized account representative," respectively, as defined in NYCRR 238-1.2.

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

Condition 107: Compliance Demonstration
Effective between the dates of 05/15/2009 and 05/14/2014

Applicable State Requirement:6NYCRR 201-5

Item 107.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: U-00005

Regulated Contaminant(s):

CAS No: 007664-41-7 AMMONIA

Item 107.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

The facility shall install, calibrate, maintain, and operate a continuous emissions monitoring system for ammonia slip, in accordance with the manufacturer's specifications. The concentration of the ammonia slip shall not exceed 10 ppmv (dry, corrected to 15% oxygen). This limit shall apply at all times except during periods of startup or shutdown. Emissions in excess of this limit shall be reported quarterly through the facilities excess emissions report. All records shall be maintained for a minimum of five years.



Manufacturer Name/Model Number: Ammonia monitoring system

Parameter Monitored: AMMONIA

Upper Permit Limit: 10.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: 40 CFR 60 Appendix F

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 8/30/2009.

Subsequent reports are due every 3 calendar month(s).

New York State Department of Environmental Conservation

Permit ID: 1-2820-00358/00002

Facility DEC ID: 1282000358

