



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-2820-01015/00009
Effective Date: 06/23/2010 Expiration Date: 06/22/2015

Permit Issued To: NASSAU ENERGY LLC
185 CHARLES LINDBERGH BLVD
GARDEN CITY, NY 11530

Facility: NASSAU ENERGY CORPORATION
185 CHARLES LINDBERGH BLVD
GARDEN CITY, NY 11530

Contact: DAVID PETTY
TRIGEN ENERGY CORP
185 CHARLES LINDBERGH BLVD
GARDEN CITY, NY 11530
(516) 222-2884

Description:
THIS IS A RENEWAL OF THE TITLE V PERMIT FOR 5 MORE YEARS AND IS ALSO A MODIFICATION TO INCLUDE CONDITIONS PROMULGATED UNDER THE CLEAN AIR INTERSTATE RULE (CAIR). THE FACILITY IS A COGENERATION PLANT CONSISTING OF ONE GAS TURBINE/HRSG UNIT WITH DUCT BURNER. BOTH FIRING NATURAL GAS AND NO. 2 FUEL OIL - THREE AUXILIARY BOILERS: ONE 132 MMBTU/HR, AND 2 84 MMBTU/HR DUAL FIRED UNITS. THE FACILITY PROVIDES STEAM AND CHILLED WATER TO COUNTY AND PRIVATE FACILITIES. THE POWER GENERATED IS SOLD TO LIPA.

New York State Department of Environmental Conservation
Facility DEC ID: 1282001015



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 - REGION 1 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
- Permit modifications, suspensions or revocations by the Department

Facility Level

- 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: 6 NYCRR 621.11

Item 3.1:

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

Item 3.2:

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

Item 3.3:

Permits are transferrable with the approval of the department unless specifically prohibited by



the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

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

Item 4.1:

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

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

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

Condition 5: Submission of application for permit modification or renewal - REGION 1 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

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

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: NASSAU ENERGY LLC
185 CHARLES LINDBERGH BLVD
GARDEN CITY, NY 11530

Facility: NASSAU ENERGY CORPORATION
185 CHARLES LINDBERGH BLVD
GARDEN CITY, NY 11530

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

Permit Effective Date: 06/23/2010

Permit Expiration Date: 06/22/2015



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6 NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6 NYCRR 201-6.5 (a) (7): Fees
- 3 6 NYCRR 201-6.5 (c): Recordkeeping and reporting of compliance monitoring
- 4 6 NYCRR 201-6.5 (c) (2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6 NYCRR 201-6.5 (c) (3) (ii): Compliance Certification
- 6 6 NYCRR 201-6.5 (e): Compliance Certification
- 7 6 NYCRR 202-2.1: Compliance Certification
- 8 6 NYCRR 202-2.5: Recordkeeping requirements
- 10 6 NYCRR Part 215: Open Fires Prohibited at Industrial and Commercial Sites
- 9 6 NYCRR 215.2: Open Fires - Prohibitions
- 11 6 NYCRR 200.7: Maintenance of Equipment
- 12 6 NYCRR 201-1.7: Recycling and Salvage
- 13 6 NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 14 6 NYCRR 201-3.2 (a): Exempt Sources - Proof of Eligibility
- 15 6 NYCRR 201-3.3 (a): Trivial Sources - Proof of Eligibility
- 16 6 NYCRR 201-6.5 (a) (4): Standard Requirement - Provide Information
- 17 6 NYCRR 201-6.5 (a) (8): General Condition - Right to Inspect
- 18 6 NYCRR 201-6.5 (d) (5): Standard Requirements - Progress Reports
- 19 6 NYCRR 201-6.5 (f) (6): Off Permit Changes
- 20 6 NYCRR 202-1.1: Required Emissions Tests
- 21 6 NYCRR 211.3: Visible Emissions Limited
- 22 40 CFR Part 68: Accidental release provisions.
- 23 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 24 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 25 6 NYCRR Subpart 201-6: Emission Unit Definition
- 26 6 NYCRR 204-1.6: Permit requirements.
- 27 6 NYCRR 204-2.1: Submissions to the Department.
- 28 6 NYCRR 204-4.1: Contents of reports and compliance certifications.
- 29 6 NYCRR 204-4.1: Discretionary report contents.
- 30 6 NYCRR 204-4.1: Compliance Certification
- 31 6 NYCRR 204-7.1: Submission of NOx allowance transfers.
- 32 6 NYCRR 204-8.1: General provisions.
- 33 6 NYCRR 204-8.1: Prohibitions.
- 34 6 NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 35 6 NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 36 6 NYCRR 204-8.2: Compliance Certification
- 37 6 NYCRR 204-8.3: Out of control periods.
- 38 6 NYCRR 204-8.4: Compliance Certification
- 39 6 NYCRR 204-8.7: Compliance Certification
- 40 6 NYCRR 225-1.2 (a) (1): Compliance Certification
- 41 6 NYCRR 227-1.3: Compliance Certification



- 42 6 NYCRR 227-1.3 (a): Compliance Certification
 - 43 6 NYCRR 227.2 (b) (1): Compliance Certification
 - 44 6 NYCRR Subpart 243-1: NOx Ozone Season Budget
 - 45 6 NYCRR 243-1.6 (a): Permit Requirements
 - 46 6 NYCRR 243-1.6 (b): Monitoring requirements
 - 47 6 NYCRR 243-1.6 (c): NOx Ozone Season Emission Requirements
 - 48 6 NYCRR 243-1.6 (d): Excess emission requirements
 - 49 6 NYCRR 243-1.6 (e): Recordkeeping and reporting requirements
 - 50 6 NYCRR 243-2.1: Authorization and responsibilities of CAIR
designated representative
 - 51 6 NYCRR 243-2.4: Certificate of representation
 - 52 6 NYCRR 243-8.1: General requirements
 - 53 6 NYCRR 243-8.1: Prohibitions
 - 54 6 NYCRR 243-8.3: Out of control periods
 - 55 6 NYCRR 243-8.5 (d): Quarterly reports
 - 56 6 NYCRR 243-8.5 (e): Compliance certification
 - 57 6 NYCRR Subpart 244-1: CAIR General and Permit Requirements
 - 58 6 NYCRR Subpart 244-1: CAIR NOx Annual Trading Program General
Conditions
 - 59 6 NYCRR Subpart 244-2: Designated CAIR Representative
 - 60 6 NYCRR Subpart 244-8: Compliance Certification
 - 61 6 NYCRR Subpart 245-1: CAIR General and Permit Requirements
 - 62 6 NYCRR Subpart 245-1: CAIR SO2 Trading Program General Provisions
 - 63 6 NYCRR Subpart 245-2: Designated CAIR Representative
 - 64 6 NYCRR Subpart 245-8: Compliance Certification
 - 65 40CFR 52.21, Subpart A: Compliance Certification
 - 66 40CFR 52.21(j), Subpart A: Compliance Certification
- Emission Unit Level**
- 67 6 NYCRR Subpart 201-6: Emission Point Definition By Emission Unit
 - 68 6 NYCRR Subpart 201-6: Process Definition By Emission Unit

EU=1-GTADB

- 69 40CFR 52.21(j), Subpart A: Compliance Certification
- 70 40CFR 52.21(j), Subpart A: Compliance Certification
- 71 40CFR 52.21(j), Subpart A: Compliance Certification
- 72 40CFR 52.21(j), Subpart A: Compliance Certification
- 73 40CFR 52.21(j), Subpart A: Compliance Certification
- 74 40CFR 52.21(j), Subpart A: Compliance Certification

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- 75 40CFR 52.21(j), Subpart A: Compliance Certification
- 76 40CFR 52.21(j), Subpart A: Compliance Certification
- 77 40CFR 52.21(j), Subpart A: Compliance Certification
- 78 40CFR 52.21(j), Subpart A: Compliance Certification
- 79 40CFR 52.21(j), Subpart A: Compliance Certification
- 80 40CFR 52.21(j), Subpart A: Compliance Certification
- 81 40CFR 52.21(j), Subpart A: Compliance Certification
- 82 40CFR 52.21(j), Subpart A: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level



- 83 ECL 19-0301: Contaminant List
- 84 6 NYCRR 201-1.4: Unavoidable noncompliance and violations
- 85 6 NYCRR 211.2: Air pollution prohibited
- 86 6 NYCRR 237-1.4 (a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
- 87 6 NYCRR 237-1.6 (a): Permit Requirements
- 88 6 NYCRR 237-1.6 (c): Compliance Demonstration
- 89 6 NYCRR 237-1.6 (e): Recordkeeping and Reporting Requirements
- 90 6 NYCRR 237-1.6 (f): Liability- facility no common stacks
- 91 6 NYCRR 237-1.6 (g): Effect on other Authorities
- 92 6 NYCRR Subpart 237-2: Authorization and responsibilities of the NOx authorized account representative
- 93 6 NYCRR 237-4.1: Compliance Demonstration
- 94 6 NYCRR 237-7.1: Submission of NOx allowance transfers
- 95 6 NYCRR Subpart 237-8: Compliance Demonstration
- 96 6 NYCRR 242-1.5: CO2 Budget Trading Program - Excess emission requirements
- 97 6 NYCRR 242-1.5: Compliance Demonstration
- 98 6 NYCRR 242-1.5: Compliance Demonstration
- 99 6 NYCRR 242-8.5: Compliance Demonstration

Emission Unit Level

EU=1-GTADB

- 100 6 NYCRR 242-1.4 (b): Limited exemption for units with electrical output to the electric grid restricted by permit conditions



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

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

Item A: Emergency Defense - 6 NYCRR 201-1.5

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

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

- (1) An emergency occurred and that the facility owner and/or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated;
- (3) During the period of the emergency the facility owner and/or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner and/or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

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

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

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

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



Item C: Timely Application for the Renewal of Title V Permits - 6 NYCRR 201-6.3 (a) (4)

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is



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

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

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

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

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

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

Item L: Permit Exclusion - ECL 19-0305

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



(NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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

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

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

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 200.6

Item 1.1:

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

Condition 2: Fees
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 3.1:



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

Condition 6: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Condition 7: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 202-2.1

Item 7.1:

The Compliance Certification activity will be performed for the Facility.

Item 7.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

Condition 8: Recordkeeping requirements
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 202-2.5

Item 8.1:

(a) The following records shall be maintained for at least five years:

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



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

**Condition 10: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 06/23/2010 and 06/22/2015**

Applicable Federal Requirement:6 NYCRR Part 215

Item 10.1:

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

**Condition 9: Open Fires - Prohibitions
Effective between the dates of 06/23/2010 and 06/22/2015**

Applicable Federal Requirement:6 NYCRR 215.2

Item 9.1:

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

Item 9.2

Per Section 215.3, burning in an open fire, provided it is not contrary to other law or regulation, will be allowed as follows:

- (a) On-site burning in any town with a total population less than 20,000 of downed limbs and branches (including branches with attached leaves or needles) less than six inches in diameter and eight feet in length between May 15th and the following March 15th. For the purposes of this subdivision, the total population of a town shall include the population of any village or portion thereof located within the town. However, this subdivision shall not be construed to allow burning within any village.
- (b) Barbecue grills, maple sugar arches and similar outdoor cooking devices when actually used for cooking or processing food.
- (c) Small fires used for cooking and camp fires provided that only charcoal or untreated wood is used as fuel and the fire is not left unattended until extinguished.
- (d) On-site burning of agricultural wastes as part of a valid agricultural operation on contiguous agricultural lands larger than five acres actively devoted to agricultural or horticultural use, provided such waste is actually grown or generated on those lands and such waste is capable of being fully burned within a 24-hour period.
- (e) The use of liquid petroleum fueled smudge pots to prevent frost damage to crops.
- (f) Ceremonial or celebratory bonfires where not otherwise prohibited by law, provided that only untreated wood or other agricultural products are used as fuel and the fire is not left unattended until extinguished.
- (g) Small fires that are used to dispose of a flag or religious item, and small fires or other smoke producing process where not otherwise prohibited by law that are used in connection with a religious ceremony.
- (h) Burning on an emergency basis of explosive or other dangerous or contraband materials by police or other public safety organization.
- (i) Prescribed burns performed according to Part 194 of this Title.
- (j) Fire training, including firefighting, fire rescue, and fire/arson investigation training, performed under applicable rules and guidelines of the New York State Department of State's Office of Fire Prevention and Control. For fire training performed on acquired structures, the



structures must be emptied and stripped of any material that is toxic, hazardous or likely to emit toxic smoke (such as asbestos, asphalt shingles and vinyl siding or other vinyl products) prior to burning and must be at least 300 feet from other occupied structures. No more than one structure per lot or within a 300 foot radius (whichever is bigger) may be burned in a training exercise.

(k) Individual open fires as approved by the Director of the Division of Air Resources as may be required in response to an outbreak of a plant or animal disease upon request by the commissioner of the Department of Agriculture and Markets, or for the destruction of invasive plant and insect species.

(l) Individual open fires that are otherwise authorized under the environmental conservation law, or by rule or regulation of the Department.

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

The following federally enforceable permit conditions are mandatory for all Title V permits and are subject to annual compliance certification requirements only if effectuated during the reporting period.

[NOTE: The corresponding annual compliance certification for those conditions not effectuated during the reporting period shall be specified as "not applicable".]

Condition 11: Maintenance of Equipment
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 200.7

Item 11.1:

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

Condition 12: Recycling and Salvage
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 201-1.7

Item 12.1:

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 13: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 201-1.8

Item 13.1:



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 14: Exempt Sources - Proof of Eligibility
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 14.1:

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 15: Trivial Sources - Proof of Eligibility
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 15.1:

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

Condition 16: Standard Requirement - Provide Information
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 16.1:

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

Condition 17: General Condition - Right to Inspect
Effective between the dates of 06/23/2010 and 06/22/2015

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



Item 17.1:

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

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

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

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

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

**Condition 18: Standard Requirements - Progress Reports
Effective between the dates of 06/23/2010 and 06/22/2015**

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

Item 18.1:

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

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

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

**Condition 19: Off Permit Changes
Effective between the dates of 06/23/2010 and 06/22/2015**

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

Item 19.1:

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



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

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

Condition 20: Required Emissions Tests
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 202-1.1

Item 20.1:

For the purpose of ascertaining compliance or non-compliance with any air pollution control code, rule or regulation, the commissioner may require the person who owns such air contamination source to submit an acceptable report of measured emissions within a stated time. 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 21: Visible Emissions Limited
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 211.3

Item 21.1:

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

Condition 22: Accidental release provisions.
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40 CFR Part 68

Item 22.1:

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

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



should be submitted to:

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

Condition 23: Recycling and Emissions Reduction
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 82, Subpart F

Item 23.1:

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

Condition 24: Recycling and Emissions Reduction
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 82, Subpart F

Item 24.1:

The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for MVAC's in Subpart B:

- a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR Part 82.156.
- b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR Part 82.158.
- c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR Part 82.161.
- d. Persons disposing of small appliances, MVAC's, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR Part 82.166. ("MVAC-like appliance as defined at 40 CFR Part 82.152)
- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR Part 82.156.
- f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82.166.

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

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Condition 25: Emission Unit Definition
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 25.1:

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

Emission Unit: 1-GTADB

Emission Unit Description:

GE FRAME 6 GAS TURBINE, HRSG UNIT WITH
SUPPLEMENTAL FIRING (DUCT BURNER) VENTING
THROUGH ONE STACK.

Building(s): COGEN

Item 25.2:

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

Emission Unit: 1-SBSGU

Emission Unit Description:

3 STANDBY STEAM GENERATING UNITS FIRED BY
NATURAL GAS OR NO. 2 FUEL OIL. 1 UNIT IS A
132 MMBTU/HR TRANE MCF 5-77. REMAINING TWO
UNITS ARE 84 MMBTU MURRAY BOILERS. THERE
ARE THREE STACKS, ONE FOR EACH BOILER, ALL
IN THE SAME BUILDING.

Building(s): BOILP

Condition 26: Permit requirements.
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 204-1.6

Item 26.1: The NO_x authorized account representative of each NO_x budget unit shall submit to the Department a complete NO_x Budget permit application (as defined under Section 204-3.3) by May 1, 2002 or 12 months before the date on which the NO_x Budget unit commences operation.

Condition 27: Submissions to the Department.
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 204-2.1

Item 27.1: Each submission under the NO_x Budget Trading Program shall be submitted, signed and certified by the NO_x authorized account representative for each NO_x Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NO_x authorized account representative.

Condition 28: Contents of reports and compliance certifications.
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 204-4.1



- (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 34: Requirements for installation, certification, and data accounting.

Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 204-8.1

Item 34.1: 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 35: Requirements for recertification of monitoring systems.

Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 204-8.2

Item 35.1: 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

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Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring Frequency: HOURLY

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 40: Compliance Certification

Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 225-1.2 (a) (1)

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Item 40.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

No person at a Title V facility will sell, offer for sale, purchase or use any distillate oil fuel which contains sulfur in a quantity exceeding the SIP (Part 225-1, Table 1) limitation. This SIP limitation is a federally enforceable. ****NOTE**** If the sulfur-in-fuel limitation contained in Part 225-1, Table 2 is more stringent, then this limitation shall be used for compliance by the New York State Department of Environmental Conservation.

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 volume

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 41: Compliance Certification

Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 227-1.3



Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Operators of oil-fired boilers which are not exempt from permitting and where a continuous opacity monitor is not utilized for measuring smoke emissions, shall be required to perform the following:

- 1) Observe the stack for each boiler which is operating on oil once per day for visible emissions. This observation(s) must be conducted during daylight hours except during adverse weather conditions (fog, rain, or snow).
- 2) The results of each observation must be recorded in a bound logbook or other format acceptable to the Department. The following data must be recorded for each stack:
 - date and time of day
 - observer's name
 - identity of emission point
 - weather condition
 - was a plume observed?

Incident weather conditions shall be recorded for those days when observations are prohibited. This logbook must be retained at the facility for five (5) years after the date of the last entry.

3) If the operator observes any visible emissions (other than steam - see below) two consecutive days firing oil (the firing of other fuels in between days of firing oil does not count as an interruption in the consecutive days of firing oil), then a Method 9 analysis (based upon a 6-minute mean) of the affected emission point(s) must be conducted within two (2) business days of such occurrence. The results of the Method 9 analysis must be recorded in the logbook. The operator must contact the Regional Air Pollution Control Engineer within one (1) business day of performing the Method 9 analysis if the opacity standard is contravened. Upon notification, any corrective actions or future compliance schedules shall be presented to the Department for acceptance.

**** NOTE **** Steam plumes generally form after leaving the top of the stack (this is known as a detached plume). The



distance between the stack and the beginning of the detached plume may vary, however, there is (normally) a distinctive distance between the plume and stack. Steam plumes are white in color and have a billowy consistency. Steam plumes dissipate within a short distance of the stack (the colder the air the longer the steam plume will last) and leave no dispersion trail downwind of the stack.

Monitoring Frequency: DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 42: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 42.1:
The Compliance Certification activity will be performed for the Facility.

Item 42.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Description:

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
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 7/30/2010.
Subsequent reports are due every 6 calendar month(s).

Condition 43: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 227.2 (b) (1)

Item 43.1:
The Compliance Certification activity will be performed for the facility:
The Compliance Certification applies to:

Emission Unit: 1-GTADB

Emission Unit: 1-SBSGU

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Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 43.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

The two hour average emission of particulates from this stationary combustion installation shall not exceed 0.10 pounds per million Btu of heat input.

At the monitoring frequency stated below the facility shall perform the following:

- 1) Submit to the Department an acceptable protocol for the testing of particulate emissions in a manner that will determine compliance with the limit cited in this condition.
- 2) Perform a stack test, based upon the approved test protocol, to determine compliance with the particulate emission limit cited in this condition.
- 3) Submit an acceptable stack test report that outlines the results obtained from the testing done to meet the requirement of #2 above.
- 4) Facility shall keep records of all testing done at this stationary combustion installation for a period of 5 years.

Upper Permit Limit: 0.10 pounds per million Btus

Reference Test Method: 40 CFR 60 APP. A Method 5

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 7/30/2010.

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

Condition 44: NOx Ozone Season Budget

Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement: 6 NYCRR Subpart 243-1

Item 44.1:

- 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, CAIR NOx



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 NOx units at the source during that control period. (244-1.6(c)(1) , 244-1.2(b)(5), 244-1.2(b)(36))

(2) A CAIR NOx 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 NOx allowance was allocated. (244-1.6(c)(3))

(3) 'Excess emissions requirements.' If a CAIR NOx source emits nitrogen oxides during any control period in excess of the CAIR NOx emissions limitation, the owners and operators of the CAIR NOx source shall surrender the CAIR NOx 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 NOx 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:

(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 NOx Annual Trading Program.

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NOx Annual Trading Program or to demonstrate compliance with the requirements of the CAIR NOx Annual Trading Program. (244-1.6(e))

Condition 45: Permit Requirements
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 45.1:

The CAIR designated representative of each CAIR NOx 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.



Condition 50: Authorization and responsibilities of CAIR designated representative
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 243-2.1

Item 50.1:

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

The CAIR designated representative of the CAIR NOx Ozone Season source shall be selected by an agreement binding on the owners and operators of the source and all CAIR NOx 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 NOx Ozone Season source represented and each CAIR NOx Ozone Season unit at the source in all matters pertaining to the CAIR NOx 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 NOx Ozone Season Allowance Tracking System account will be established for a CAIR NOx 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 NOx Ozone Season units at the source.

Each submission under the CAIR NOx Ozone Season Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx 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 51: Certificate of representation
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR 243-2.4

Item 51.1:



(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 56: Compliance certification
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 56.1:

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 57: CAIR General and Permit Requirments
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 244-1

Item 57.1:

(1) As of midnight of March 1, or midnight of the first business day thereafter if March 1 is not

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a business day, the owners and operators shall hold, in their compliance account, 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. (244-1.6(c)(1) , 244-1.2(b)(5), 244-1.2(b)(36))

(2) A CAIR NO_x 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 NO_x allowance was allocated. (244-1.6(c)(3))

(3) 'Excess emissions requirements.' 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:

(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. (244-1.6(e))

**Condition 58: CAIR NO_x Annual Trading Program General Conditions
Effective between the dates of 06/23/2010 and 06/22/2015**

Applicable Federal Requirement:6 NYCRR Subpart 244-1

Item 58.1:

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 59: Designated CAIR Representative
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 244-2

Item 59.1:

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 NO_x 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 NO_x source represented in all matters pertaining to the CAIR NO_x 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 60: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 244-8

Item 60.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

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

Item 60.2:

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 NOx mass emissions data and heat input data for each CAIR NOx 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 NOx units that are also subject to an Acid Rain emissions limitation or the CAIR NOx 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 NOx 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 NOx emission controls and for all hours where NOx 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 NOx 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 NO_x 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 NO_x 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 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 61: CAIR General and Permit Requirements
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement: 6 NYCRR Subpart 245-1

Item 61.1:

(1) Each CAIR SO₂ source must have a permit issued by the department pursuant to 6NYCRR Parts 201 and 621 of this title; and shall have a CAIR permit issued pursuant to 6NYCRR Part 245-3 by the Department and operate the source in compliance with such CAIR permit. Each CAIR permit must contain all applicable requirements for the CAIR SO₂ Trading Program and shall be a complete and separable portion of the permit. (245-1 and 245-3)

(2) 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 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) as determined in accordance with 6NYCRR Part 245-6.5(a) and (b), not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance with 6NYCRR Part 245-8. (245-1.2(b)(5), 245-1.6(c)(1), 245-1.2(b)(36))



(3) 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. (245-1.6(c)(3))

(4) 'Excess emissions requirements.' 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))

(5) 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:

(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. (245-1.6(e))

**Condition 62: CAIR SO₂ Trading Program General Provisions
Effective between the dates of 06/23/2010 and 06/22/2015**

Applicable Federal Requirement: 6 NYCRR Subpart 245-1

Item 62.1:

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 63: Designated CAIR Representative
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement: 6 NYCRR Subpart 245-2

Item 63.1:

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 64: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement: 6 NYCRR Subpart 245-8

Item 64.1:

The Compliance Certification activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 007446-09-5 SULFUR DIOXIDE

Item 64.2:

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 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 65: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 65.1:
The Compliance Certification activity will be performed for the Facility.

Item 65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



Monitoring Description:

All records required by this permit shall be kept on-site at the facility for the five most recent years, and upon request, must be made available for review by a NYSDEC representative.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 66: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 66.1:

The Compliance Certification activity will be performed for the Facility.

Item 66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE SULFUR CONTENT OF FUEL OIL BURNED AT THE FACILITY SHALL NOT EXCEED 0.27 PERCENT BY WEIGHT.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.27 percent by weight

Reference Test Method: ASTM D-4294

Monitoring Frequency: DAILY

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)

Reporting Requirements: ANNUALLY (ANNIVERSARY)

Initial Report Due: 07/22/2011 for the period 06/23/2010 through 06/22/2011

**** Emission Unit Level ****

Condition 67: Emission Point Definition By Emission Unit
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 67.1:

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

Emission Unit: 1-GTADB

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



Emission Point: 00004
Height (ft.): 125 Diameter (in.): 144
NYTMN (km.): 4509.223 NYTME (km.): 618.033 Building: COGEN

Item 67.2:

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

Emission Unit: 1-SBSGU

Emission Point: 00001
Height (ft.): 50 Diameter (in.): 48
NYTMN (km.): 4509.223 NYTME (km.): 618.033 Building: BOILP

Emission Point: 00002
Height (ft.): 50 Diameter (in.): 48
NYTMN (km.): 4509.223 NYTME (km.): 618.033 Building: BOILP

Emission Point: 00003
Height (ft.): 50 Diameter (in.): 54
NYTMN (km.): 4509.223 NYTME (km.): 618.033 Building: BOILP

Condition 68: Process Definition By Emission Unit
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:6 NYCRR Subpart 201-6

Item 68.1:

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

Emission Unit: 1-GTADB
Process: DBF Source Classification Code: 1-03-005-01
Process Description: DUCT BURNER ONLY. NO. 2 FUEL OIL FIRED.

Emission Source/Control: 000DB - Combustion

Emission Source/Control: 000GT - Combustion

Item 68.2:

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

Emission Unit: 1-GTADB
Process: DBG Source Classification Code: 1-03-006-01
Process Description: DUCT BURNER ONLY. NATURAL GAS FIRED.

Emission Source/Control: 000DB - Combustion

Emission Source/Control: 000GT - Combustion

Item 68.3:

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

Emission Unit: 1-GTADB

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



Process: GTF Source Classification Code: 2-03-001-02
Process Description: GE FRAME 6 TURBINE/HRSG UNIT FIRING FUEL OIL.

Emission Source/Control: 000DB - Combustion

Emission Source/Control: 000GT - Combustion

Item 68.4:

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

Emission Unit: 1-GTADB
Process: GTG Source Classification Code: 2-03-002-02
Process Description:
GE FRAME 6 TURBINE/HRSG UNIT FIRING GAS
ONLY - NO DUCT BURNING.

Emission Source/Control: 000DB - Combustion

Emission Source/Control: 000GT - Combustion

Item 68.5:

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

Emission Unit: 1-GTADB
Process: TBF Source Classification Code: 2-03-001-02
Process Description:
GE FRAME 6 TURBINE/GRSG UNIT AND DUCT
BURNER BOTH FIRING OIL.

Emission Source/Control: 000DB - Combustion

Emission Source/Control: 000GT - Combustion

Item 68.6:

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

Emission Unit: 1-GTADB
Process: TBG Source Classification Code: 2-03-002-02
Process Description:
GE FRAME 6 TURBINE/GRSG UNIT AND DUCT
BURNER BOTH FIRING GAS.

Emission Source/Control: 000DB - Combustion

Emission Source/Control: 000GT - Combustion

Item 68.7:

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

Emission Unit: 1-SBSGU
Process: FOO Source Classification Code: 1-01-005-01
Process Description: STANDBY BOILERS BURNING NO. 2 FUEL OIL.

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



Emission Source/Control: MB001 - Combustion
Design Capacity: 84 million Btu per hour

Emission Source/Control: MB002 - Combustion
Design Capacity: 84 million Btu per hour

Emission Source/Control: TB001 - Combustion
Design Capacity: 137 million Btu per hour

Item 68.8:

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

Emission Unit: 1-SBSGU
Process: GAS Source Classification Code: 1-03-006-02
Process Description: STANDBY BOILERS BURNING NATURAL GAS.

Emission Source/Control: MB001 - Combustion
Design Capacity: 84 million Btu per hour

Emission Source/Control: MB002 - Combustion
Design Capacity: 84 million Btu per hour

Emission Source/Control: TB001 - Combustion
Design Capacity: 137 million Btu per hour

Condition 69: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 69.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE DUCT BURNER USE SHALL BE LIMITED TO
NO MORE THAN 961,956 MMBTU/YEAR
CALCULATED ON A DAILY ROLLING BASIS.

Reference Test Method: NA

Monitoring Frequency: CONTINUOUS

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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



Condition 70: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

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

Emission Unit: 1-GTADB

Item 70.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

TOTAL ANNUAL FUEL OIL USE SHALL NOT
EXCEED THE FOLLOWING (CALCULATED ON A
DAILY ROLLING BASIS):
GE FRAME 6 GAS TURBINE: 10,425,000
GALLONS/YEAR.

Reference Test Method: NA
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 71: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

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

Emission Unit: 1-GTADB

Item 71.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

THE MASS EMISSION RATE (LBS/HR) OF THE
TURBINE AND DUCT BURNER MUST BE
CONTINUOUSLY CALCULATED ACCORDING TO CEM
MONITORING PLAN. THE MASS EMISSION RATE
(LB/HR) CORRESPONDS TO A TEMPERATURE OF
60 DEG. F. USE FIGURES 2 THRU 5,
ATTACHED TO THIS PERMIT, TO CORRELATE



MASS EMISSIONS (LB/HR) TO THE CURRENT
AMBIENT TEMPERATURE.

Reference Test Method: NA
Monitoring Frequency: CONTINUOUS
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 72: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 72.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB

Item 72.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
OWNER/OPERATOR SHALL MONITOR AND RECORD
THE TYPE AND AMOUNT OF FUEL BURNED IN THE
GAS TURBINE, AND DUCT BURNER. ACCURACY
OF DATA SHALL BE BETWEEN +5% and -5%.

Reference Test Method: NA
Monitoring Frequency: DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 73: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 73.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB

Item 73.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:



OPERATING CONDITIONS AND LIMITS FOR GAS
TURBINE AND DUCT BURNER:
1-SHALL ONLY FIRE NATURAL GAS OR No. 2
DISTILLATE OIL IN GAS TURBINE.
2-No. 2 OIL USE SHALL BE LIMITED TO
2,190 HOURS PER YEAR, CALCULATED ON A
DAILY ROLLING BASIS.
3-SHALL FIRE ONLY NATURAL GAS IN DUCT
BURNER.

Reference Test Method: NA
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 74: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 74.1:
The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB

Item 74.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

GAS TURBINE SHALL NOT OPERATE BELOW 75%
OF BASE LOAD, EXCEPT DURING PERIODS OF
START-UP AND SHUTDOWN. 75 % OF THE BASE
LOAD CORRESPONDS TO 29.4 MW (FIRING GAS,
60 DEG. F). FIGURE ON PAGE 1 OF 9
(TURBINE OUTPUT) ATTACHED TO THIS PERMIT,
CORRELATES THIS LIMIT TO THE CURRENT
AMBIENT TEMPERATURE.

Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2011.
Subsequent reports are due every 12 calendar month(s).

Condition 75: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015



Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 75.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

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

Item 75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEM's ARE TO BE USED TO MONITOR
EMISSIONS FROM THE GAS TURBINE-DUCT
BURNER UNIT. OXIDES OF NITROGEN EMISSION
LIMIT OF 91 LB/HR APPLIES WHEN GAS
TURBINE AND DUCT BURNER OPERATE BETWEEN
76% AND 100% LOAD ON NATURAL GAS

Manufacturer Name/Model Number: BECKMAN 951A

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 91 pounds per hour

Reference Test Method: 40CFR60 APP. B

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 7/30/2010.

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

Condition 76: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 76.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

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

Item 76.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



CEM's ARE TO BE USED TO MONITOR
EMISSIONS FROM THE GAS TURBINE-DUCT
BURNER UNIT. OXIDES OF NITROGEN EMISSION
LIMIT OF 78 LB/HR APPLIES WHEN GAS
TURBINE AND DUCT BURNER OPERATE AT 75%
LOAD ON NATURAL GAS.

Manufacturer Name/Model Number: BECKMAN 915A

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 78 pounds per hour

Reference Test Method: 40CFR60 APP. B

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 7/30/2010.

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

Condition 77: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 77.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

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

Item 77.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEM's ARE TO BE USED TO MONITOR
EMISSIONS FROM THE GAS TURBINE-DUCT
BURNER UNIT. OXIDES OF NITROGEN EMISSION
LIMIT OF 65 PPM (DRY, CORRECTED TO 15% O2
) APPLIES WHEN BOTH GAS TURBINE AND GAS
TURBINE- DUCT BURNER UNIT OPERATE BETWEEN
75% AND 100% WITH GAS TURBINE ON OIL AND
DUCT BURNER ON NATURAL GAS.

Manufacturer Name/Model Number: BECKMAN 951A

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 65 parts per million by volume (dry,
corrected to 15% O2)

Reference Test Method: 40CFR60 APP.B

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 78: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 78.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

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

Item 78.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEM's ARE TO BE USED TO MONITOR
EMISSIONS FROM THE GAS TURBINE-DUCT
BURNER UNIT. OXIDES OF NITROGEN EMISSION
LIMIT OF 130 LB/HR APPLIES WHEN GAS
TURBINE AND DUCT BURNER OPERATE BETWEEN
76% and 100% , WITH GAS TURBINE ON FUEL
OIL AND DUCT BURNER ON NATURAL GAS.

Manufacturer Name/Model Number: BECKMAN 951A

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 130 pounds per hour

Reference Test Method: 40CFR60 APP. B

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 7/30/2010.

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

Condition 79: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 79.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



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

Item 79.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEM's ARE TO BE USED TO MONITOR
EMISSIONS FROM THE GAS TURBINE-DUCT
BURNER UNIT. OXIDES OF NITROGEN EMISSION
LIMIT OF 111 LB/HR APPLIES WHEN GAS
TURBINE OPERATE AT 75% LOAD ON OIL.

Manufacturer Name/Model Number: BECKMAN 951A

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 111 pounds per hour

Reference Test Method: 40CFR60 APP. B

Monitoring Frequency: CONTINUOUS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 80: Compliance Certification

Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement:40CFR 52.21(j), Subpart A

Item 80.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

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

Item 80.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEM's ARE TO BE USED TO MONITOR
EMISSIONS FROM THE GAS TURBINE-DUCT
BURNER UNIT. CARBON MONOXIDE EMISSION
LIMIT OF 19.2 LB.HR APPLIES WHEN GAS
TURBINE AND DUCT BURNER OPERATE BETWEEN
75% AND 100% LOAD WITH GAS TURBINE ON
NATURAL GAS OR OIL AND DUCT BURNER ON
NATURAL GAS ONLY.

New York State Department of Environmental Conservation

Permit ID: 1-2820-01015/00009

Facility DEC ID: 1282001015



Manufacturer Name/Model Number: SIEMENS ULTRAMAT 5E
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 19.2 pounds per hour
Reference Test Method: 40CFR60 APP. B
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 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 81: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 81.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

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

Item 81.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEM's ARE TO BE USED TO MONITOR
EMISSIONS FROM THE GAS TURBINE- DUCT
BURNER UNIT. CARBON MONOXIDE EMISSION
LIMIT OF 19 PPM (DRY, CORRECTED AT 15%
O₂) APPLIES WHEN GAS TURBINE AND DUCT
BURNER OPERATE BETWEEN 75% AND 100% LOAD,
WITH GAS TURBINE ON GAS OR OIL AND DUCT
BURNER ON GAS ONLY.

Manufacturer Name/Model Number: SIEMENS ULTRAMAT 5E
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 19.0 parts per million by volume
(dry, corrected to 15% O₂)
Reference Test Method: 40CFR60 APP B
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 7/30/2010.
Subsequent reports are due every 3 calendar month(s).

Condition 82: Compliance Certification
Effective between the dates of 06/23/2010 and 06/22/2015



Applicable Federal Requirement: 40CFR 52.21(j), Subpart A

Item 82.1:

The Compliance Certification activity will be performed for:

Emission Unit: 1-GTADB Emission Point: 00004

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

Item 82.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

CEMS ARE TO BE USED TO MONITOR EMISSIONS FROM THE GAS TURBINE - DUCT BURNER UNIT. OXIDES OF NITROGEN EMISSION LIMIT OF 42 PPM (DRY, CORRECTED TO 15% O₂) APPLIES WHEN BOTH GAS TURBINE AND GAS TURBINE-DUCT BURNER UNIT OPERATE BETWEEN 75% AND 100% LOAD ON NATURAL GAS.

Manufacturer Name/Model Number: BECKMAN 951A

Parameter Monitored: OXIDES OF NITROGEN

Upper Permit Limit: 42.0 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: 40CFR60 APP B/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 7/30/2010.

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 83: Contaminant List
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:ECL 19-0301

Item 83.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000124-38-9
Name: CARBON DIOXIDE



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

CAS No: 007446-09-5
Name: SULFUR DIOXIDE

CAS No: 0NY075-00-0
Name: PARTICULATES

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

Condition 84: Unavoidable noncompliance and violations
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement: 6 NYCRR 201-1.4

Item 84.1:

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 85: Air pollution prohibited
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR 211.2

Item 85.1:

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 86: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR 237-1.4 (a)

Item 86.1:

Any unit, that at any time on or after January 1, 1999, serves a generator with a nameplate capacity equal to or greater than 25 MWe and sells any amount of electricity shall be a NOx budget unit, and any source that includes one or more such units shall be a NOx budget source, subject to the requirements of NYCRR 237.

Condition 87: Permit Requirements
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 87.1:

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2, which states the later of October 1, 2003 or 12 months before the date on which the NOxBU commences operation; and submit in a timely manner any supplemental information that the department determines is necessary in order to review a NOx budget permit application and issue or deny a NOx budget permit.



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

Condition 88: Compliance Demonstration
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 88.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 88.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 89: Recordkeeping and Reporting Requirements
Effective between the dates of 06/23/2010 and 06/22/2015

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

Item 89.1:

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 the truth of the statements in the account certificate of representation, in accordance with NYCRR 237-2.4; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new account certificate of representation changing the NOx authorized account representative.
- 2) All emissions monitoring information, in accordance with NYCRR 237-8.
- 3) Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR NOx Budget Trading Program.
- 4) Copies of all documents used to complete a NOx budget permit application and any other submission under the ADR NOx Budget Trading Program or to demonstrate compliance with the requirements of the ADR NOx Budget Trading Program.

The NOx authorized account representative of a NOx budget source and each NOx budget unit at the source shall submit the reports and compliance certifications required under the ADR NOx Budget Trading Program, including those under NYCRR 237-4, 237-8, or 237-9.

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- (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 95: Compliance Demonstration
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR Subpart 237-8

Item 95.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 95.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2011.

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

Condition 96: CO2 Budget Trading Program - Excess emission requirements
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR 242-1.5

Item 96.1:

The owners and operators of a CO2 budget source that has excess emissions in any control period shall:

- (1) forfeit the CO2 allowances required for deduction under 6 NYCRR Part 242-6.5(d)(1), provided CO2 offset allowances may not be used to cover any part of such excess emissions; and
- (2) pay any fine, penalty, or assessment or comply with any other remedy imposed under 6 NYCRR Part 242-6.5(d)(2).

Condition 97: Compliance Demonstration
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR 242-1.5

Item 97.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 97.2:

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 CO₂ authorized account representative of each CO₂ budget source and each CO₂ budget unit at the source shall comply with the monitoring requirements of Subpart 242-8. The emissions measurements recorded and reported in accordance with Subpart 242-8 of this Part shall be used to determine compliance by the unit with the following CO₂ requirements:

(1) The owners and operators of each CO₂ budget source and each CO₂ budget unit at the source shall hold CO₂ allowances available for compliance deductions under Section 242-6.5, as of the CO₂ allowance transfer deadline, in the source's compliance account in an amount not less than the total CO₂ emissions for the control period from all CO₂ budget units at the source, as determined in accordance with Subparts 242-6 and 242-8.

(2) Each ton of CO₂ emitted in excess of the CO₂ budget emissions limitation shall constitute a separate violation of this Part and applicable state law.

(3) A CO₂ budget unit shall be subject to the requirements specified in item 1 starting on the later, of January 1, 2009 or the date on which the unit commences operation.

(4) CO₂ allowances shall be held in, deducted from, or transferred among CO₂ Allowance Tracking System accounts in accordance with Subparts 242-5, 242-6, and 242-7, and Section 242-10.7.

(5) A CO₂ allowance shall not be deducted, in order to comply with the requirements specified in item 1, for a control period that ends prior to the allocation year for which the CO₂ allowance was allocated. A CO₂ offset allowance shall not be deducted, in order to comply with the requirements under item 1, beyond the applicable percent limitations set out in 6NYCRR Part 242-6.5(a)(3).

(6) A CO₂ allowance under the CO₂ Budget Trading Program is a limited authorization by the Department or a participating state to emit one ton of CO₂ in accordance with the CO₂ Budget Trading Program. No provision of the CO₂ Budget Trading Program, the CO₂ budget permit application, or the CO₂ budget permit or any provision of law shall be construed to limit the authority of the Department or a participating state to terminate or limit



such authorization.

(7) A CO2 allowance under the CO2 Budget Trading Program does not constitute a property right.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 98: Compliance Demonstration
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR 242-1.5

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 the CO2 budget source and each CO2 budget unit at the source shall keep on site at the source each of the following documents for a period of 10 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 10 years, in writing by the department.

(i) The account certificate of representation for the CO2 authorized account representative for the source and each CO2 budget unit at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 6 NYCRR Part 242-2.4, provided that the certificate and documents shall be retained on site at the source beyond such 10-year period until such documents are superseded because of the submission of a new account certificate of representation.

(ii) All emissions monitoring information, in accordance with Subpart 242-8 and 40 CFR 75.57.

(iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the CO2 Budget Trading Program.

(iv) Copies of all documents used to complete a CO2 budget permit application and any other submission under the CO2



Budget Trading Program or to demonstrate compliance with the requirements of the CO2 Budget Trading Program.

The CO2 authorized account representative of a CO2 budget source and each CO2 budget unit at the source shall submit the reports and compliance certifications required under the CO2 Budget Trading Program, including those under Subpart 242-4.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

Condition 99: Compliance Demonstration
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR 242-8.5

Item 99.1:

The Compliance Demonstration activity will be performed for the Facility.

Regulated Contaminant(s):

CAS No: 000124-38-9 CARBON DIOXIDE

Item 99.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Recordkeeping and Reporting (6NYCRR Part 242-8.5)

(a) General provisions. The CO2 authorized account representative shall comply with all recordkeeping and reporting requirements in this section, the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the requirements of section 242-2.1(e) of this Part.

(b) Monitoring plans. The owner or operator of a CO2 budget unit shall submit a monitoring plan in the manner prescribed in 40 CFR 75.62.

(c) Certification applications. The CO2 authorized account representative shall submit an application to the department within 45 days after completing all CO2 monitoring system initial certification or recertification tests required under section 242-8.2 of this Subpart including the information required under 40 CFR 75.63 and 40 CFR 75.53(e) and (f).



(d) Quarterly reports. The CO2 authorized account representative shall submit quarterly reports, as follows:

(1) The CO2 authorized account representative shall report the CO2 mass emissions data and heat input data for the CO2 budget unit, in an electronic format prescribed by the administrator unless otherwise prescribed by the department for each calendar quarter.

(2) The CO2 authorized account representative shall submit each quarterly report to the department or its agent within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in subpart H of 40 CFR part 75 and 40 CFR 75.64. Quarterly reports shall be submitted for each CO2 budget unit (or group of units using a common stack), and shall include all of the data and information required in subpart G of 40 CFR part 75, except for opacity, NOx, and SO2 provisions.

(3) The CO2 authorized account representative shall submit to the department or its agent a compliance certification 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 this Subpart and 40 CFR part 75, including the quality assurance procedures and specifications;

(ii) for a unit with add-on CO2 emissions controls and for all hours where data are substituted in accordance with 40 CFR 75.34(a)(1), the add-on emissions controls were operating within the range of parameters listed in the quality assurance/quality control program under appendix B of 40 CFR part 75 and the substitute values do not systematically underestimate CO2 emissions; and

(iii) the CO2 concentration values substituted for missing data under Subpart D of 40 CFR part 75 do not systematically underestimate CO2 emissions.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2010.

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

**** Emission Unit Level ****



Condition 100: Limited exemption for units with electrical output to the electric grid restricted by permit conditions
Effective between the dates of 06/23/2010 and 06/22/2015

Applicable State Requirement:6 NYCRR 242-1.4 (b)

Item 100.1:

This Condition applies to Emission Unit: 1-GTADB

Item 100.2:

(1) *Applicability.* Notwithstanding Subdivision (a) of this Section, any unit that, on or before December 1, 2008, applies for an enforceable permit condition restricting the supply of the unit's annual electrical output to the electric grid to less than or equal to 10 percent of the annual gross generation of the unit, and that from and after January 1, 2009 complies with the 10 percent restriction and the provisions in Paragraph (b)(3) of this Section, shall be exempt from the requirements of this Part, except for the provisions of this Section, Sections 242-1.2, 242-1.3, and 242-1.6 of this Part.

(2) *Effective date.* The exemption under Paragraph (b)(1) of this Section shall become effective as of January 1, 2009 and remain in effect unless and until the unit loses its exemption under Subparagraph (b)(3)(v) of this Section.

(3) *Compliance.*

(i) A unit exempt under Paragraph (b)(1) of this Section shall comply with the restriction on percentage of annual gross generation that may be supplied to the electric grid described in Paragraph (b)(1) of this Section.

(ii) A unit exempt under Paragraph (b)(1) of this Section shall report to the department the amount of annual gross generation and the amount of annual gross generation supplied to the electric grid during the year by the following February 1st.

(iii) For a period of 10 years from the date the records are created, the owners and operators of a unit exempt under Paragraph (b)(1) of this Section shall retain, at the source that includes the unit, records demonstrating that the conditions of the permit under Paragraph (b)(1) of this Section were met. The 10-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the department. The owners and operators bear the burden of proof that the unit met the restriction on the percentage of annual gross generation that may be supplied to the electric grid.

(iv) The owners and operators and, to the extent applicable, the CO₂ authorized account representative of a unit exempt under Paragraph (b)(1) of this Section shall comply with all the requirements of this Part concerning all time periods



for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.

(v) On the earlier of the following dates, a unit exempt under Paragraph (b)(1) of this Section shall lose its exemption:

(a) the date on which the restriction on the percentage of annual gross generation that may be supplied to the electric grid described in Paragraph (b)(1) of this Section is removed from the unit's permit or otherwise becomes no longer applicable in any year that commences on or after January 1, 2009; or

(b) the first date on which the unit fails to comply, or on which the owners and operators fail to meet their burden of proving that the unit is complying, with the restriction on the percentage of annual gross generation that may be supplied to the electric grid described in Paragraph (b)(1) of this Section during any year that commences on or after January 1, 2009.

(vi) A unit that loses its exemption in accordance with Subparagraph (b)(3)(v) of this Section shall be subject to the requirements of this Part. For the purpose of applying permitting requirements under Subpart 242-3 of this Part, allocating allowances under Subpart 242-5 of this Part, and applying monitoring requirements under Subpart 242-8 of this Part, the unit shall be treated as commencing operation on the date the unit loses its exemption.

(4) *Reduction in CO₂ Budget Trading Program base budget.* In the event that a unit applies for and receives a permit condition that renders the unit exempt under Subdivision (b) of this Section, then the department shall reduce the CO₂ Budget Trading Program base budget to remove the number of tons equal to the unit's average annual emissions from the previous three calendar years.

