PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-2824-00947/00004
Mod 0 Effective Date: 08/06/2004 Expiration Date: 08/05/2009

Mod 1 Effective Date: 09/23/2004 Expiration Date: 08/05/2009

Mod 2 Effective Date: 09/26/2008 Expiration Date: 08/05/2009

Permit Issued To:BETHPAGE ENERGY CENTER 3 LLC
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

CPN BETHPAGE 3RD TURBINE INC
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

TBG COGEN PARTNERS
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

Contact: JULIE A STINEDURF
CALPINE CORPORATION
717 TEXAS AVE STE 1000
HOUSTON, TX 77002
(713) 830-8618

Facility: TBG COGEN FACILITY
939 S BROADWAY
HICKSVILLE, NY 11801-5032

Description:

Modify the TV Permit for the TBG Cogen Partners facility by adding the new GE LM6000 SPRINT gas turbine which was previously authorized under a State Facility preconstruction permit issued to CPN 3rd Turbine, Inc. This modification also adds an auxiliary boiler and space heaters for the turbine building (attached as exempt activities) to the TV permit.

The existing TBG Cogen Partners facility includes a cogeneration plant, peaking power plant and a combined cycle power plant. The cogeneration plant consists of two identical GE LM2500 combustion turbines, two heat recovery boilers with duct burners and steam turbine generator. The LM2500 units are permitted to fire natural gas and distillate oil, while the duct burners are limited to natural gas. The peaking power plant consists of one GELM6000 combustion turbine permitted to fire only natural gas. The combined cycle power plant consists of one LM6000 combustion turbine and once-through boiler with duct burner permitted to fire

natural gas exclusively. The auxiliary boiler and furnaces will provide space heating for the turbine building when the cogeneration plant is out of service.

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

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

Authorized Signature: _____ Date: ___ / ___ / _____

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

LIST OF CONDITIONS

DEC GENERAL CONDITIONS
General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for permit renewals, modifications and transfers
Applications for Permit Renewals and Modifications
Permit modifications, suspensions or revocations by the Department
Permit Modifications, Suspensions and Revocations by the Department
Facility Level
Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS

DEC GENERAL CONDITIONS
****** General Provisions ******
For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

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

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

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

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

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

Condition 2-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 2-1.1:
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 2-1.2:
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 2-1.3:
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 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

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

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

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 2-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

Condition 4: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

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 Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:

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

Condition 2-3: Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 2-3.1:
Submission of applications for permit modification or renewal are to be submitted to:

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

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

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717 TEXAS AVE STE 1000
HOUSTON, TX 77002

Facility: TBG COGEN FACILITY
939 S BROADWAY
HICKSVILLE, NY 11801-5032

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

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Permit Modifications, Suspensions and Revocations by the Department

Facility Level

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

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Facility Level

2-3 6NYCRR 200.6: Acceptable Ambient Air Quality
2-1 6NYCRR 201-6.5(a)(7): Fees
2 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
3 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
4 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
5 6NYCRR 201-6.5(e): Compliance Certification
6 6NYCRR 202-2.1: Compliance Certification
7 6NYCRR 202-2.5: Recordkeeping requirements
2-2 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
2-14 6NYCRR 200.7: Maintenance of Equipment
2-5 6NYCRR 201-1.7: Recycling and Salvage
2-6 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
2-7 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
2-8 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
2-9 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
2-10 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
2-11 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
2-12 6NYCRR 201-6.5(f)(6): Off Permit Changes
2-4 6NYCRR 202-1.1: Required Emissions Tests
2-13 6NYCRR 211.3: Visible Emissions Limited
42 40CFR 68: Accidental release provisions.
44 40CFR 82, Subpart F: Recycling and Emissions Reduction
1 6NYCRR 201-6: Emission Unit Definition
2-22 6NYCRR 204-1.6: Permit requirements (To be included only in new permits or units).
2-28 6NYCRR 204-2: Authorized Account Representative
9 6NYCRR 204-2.1: Submissions to the Department.
2-33 6NYCRR 204-2.1(e): Submissions to the Department

10 6NYCRR 204-4.1: Contents of reports and compliance certifications.
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11 6NYCRR 204-4.1: Discretionary report contents.
12 6NYCRR 204-4.1: Compliance Certification
2-37 6NYCRR 204-4.1: Compliance Certification
13 6NYCRR 204-7.1: Submission of NOx allowance transfers.
14 6NYCRR 204-8.1: General provisions.
15 6NYCRR 204-8.1: Prohibitions.
2-44 6NYCRR 204-8.1: Reference to 40CFR and list of requirements.
16 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
17 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
2-45 6NYCRR 204-8.2: Compliance Certification
18 6NYCRR 204-8.2: Compliance Certification
2-46 6NYCRR 204-8.2(b)(2): Requirements for recertification of monitoring systems
19 6NYCRR 204-8.3: Out of control periods.
20 6NYCRR 204-8.4: Compliance Certification
2-47 6NYCRR 204-8.4: Compliance Certification
2-48 6NYCRR 204-8.5: Compliance Certification
2-51 6NYCRR 204-8.7: Compliance Certification
21 6NYCRR 204-8.7: Compliance Certification
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2-21 6NYCRR 227-1.3(a): Compliance Certification
2-35 6NYCRR 231-2.4: Emission Reduction Credits
2-23 6NYCRR 243-1.6(a): Permit Requirements
2-24 6NYCRR 243-1.6(b): Monitoring requirements
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2-26 6NYCRR 243-1.6(d): Excess emission requirements
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2-42 6NYCRR 243-8.1: General requirements
2-43 6NYCRR 243-8.1: Prohibitions
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2-50 6NYCRR 243-8.5(e): Compliance certification
2-17 6NYCRR 244-1: CAIR General and Permit Requirments
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2-29 6NYCRR 244-2: Designated CAIR Representative
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2-16 6NYCRR 245-1: CAIR General and Permit Requirments
2-19 6NYCRR 245-1: CAIR SO2 Trading Program General Provisions
2-31 6NYCRR 245-2: Designated CAIR Representative
2-38 6NYCRR 245-8: Monitoring and Reporting SO2 Emissions
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2-15 40CFR 52.21, Subpart A: Compliance Certification

24 40CFR 52.21, Subpart A: Compliance Certification
25 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
26 40CFR 60.7(a), NSPS Subpart A: Date of construction notification.
27 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
28 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
29 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
30 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
31 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
32 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
33 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
34 40CFR 60.8(d), NSPS Subpart A: Prior notice.
35 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
36 40CFR 60.9, NSPS Subpart A: Availability of information.
37 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
38 40CFR 60.12, NSPS Subpart A: Circumvention.
39 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
40 40CFR 60.14, NSPS Subpart A: Modifications.
41 40CFR 60.15, NSPS Subpart A: Reconstruction
43 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

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45 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00001

47 6NYCRR 227-2.6(a)(1): Testing, monitoring, and reporting requirements for very large boilers.
48 40CFR 52.21, Subpart A: Compliance Certification
49 40CFR 52.21, Subpart A: Compliance Certification
50 40CFR 52.21, Subpart A: Compliance Certification
51 40CFR 52.21, Subpart A: Compliance Certification
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52 40CFR 52.21, Subpart A: Compliance Certification
2-53 40CFR 52.21, Subpart A: Compliance Certification
2-54 40CFR 52.21, Subpart A: Compliance Certification
2-55 40CFR 52.21, Subpart A: Compliance Certification
2-56 40CFR 52.21, Subpart A: Compliance Certification
2-57 40CFR 52.21, Subpart A: Compliance Certification
2-58 40CFR 60, NSPS Subpart Db: Compliance Certification
2-59 40CFR 60.332, NSPS Subpart GG: Compliance Certification

EU=U-00001,Proc=DBG,ES=000DB

55 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=GTG,ES=000GT

56 40CFR 52.21, Subpart A: Compliance Certification
57 40CFR 52.21, Subpart A: Compliance Certification
58 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=GTM

59 40CFR 52.21, Subpart A: Compliance Certification
60 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=GTO,ES=000GT
61 40CFR 52.21, Subpart A: Compliance Certification
62 40CFR 52.21, Subpart A: Compliance Certification
63 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=TGB
64 40CFR 52.21, Subpart A: Compliance Certification
65 40CFR 52.21, Subpart A: Compliance Certification
66 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=TOB
67 40CFR 52.21, Subpart A: Compliance Certification
68 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=TOB,ES=000GT
69 40CFR 52.21, Subpart A: Compliance Certification

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1-2 6NYCRR 201-6: Compliance Certification
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2-63 6NYCRR 201-6: Compliance Certification
2-64 6NYCRR 201-6: Compliance Certification
2-65 6NYCRR 201-6: Compliance Certification
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2-68 6NYCRR 201-6: Compliance Certification
2-69 6NYCRR 201-6: Compliance Certification
70 6NYCRR 201-6: Compliance Certification
71 6NYCRR 201-6: Compliance Certification
73 6NYCRR 201-6: Compliance Certification
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76 6NYCRR 201-6: Compliance Certification
77 6NYCRR 201-6: Compliance Certification
2-61 6NYCRR 231-2: Compliance Certification
2-60 40CFR 52.21, Subpart A: Compliance Certification
79 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00003
2-70 6NYCRR 201-6: Compliance Certification
2-71 6NYCRR 201-6: Compliance Certification
2-72 6NYCRR 201-6: Compliance Certification
2-73 6NYCRR 201-6: Compliance Certification
2-74 6NYCRR 201-6: Compliance Certification
2-75 6NYCRR 201-6: Compliance Certification
2-76 6NYCRR 201-6: Compliance Certification
2-77 6NYCRR 201-6: Compliance Certification
2-78 6NYCRR 201-6: Compliance Certification

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Facility Level

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2-93 6NYCRR 201-5: Compliance Demonstration
82 6NYCRR 211.2: Air pollution prohibited
2-79 6NYCRR 237-1.4(a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
83 6NYCRR 237-1.4(a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
2-80 6NYCRR 237-1.6(a): General condition (specifying 12 month submital)
84 6NYCRR 237-1.6(a): Permit Requirements
2-82 6NYCRR 237-1.6(a): Permit requirments to be included in new permits or units.
2-83 6NYCRR 237-1.6(c): Compliance Demonstration
85 6NYCRR 237-1.6(c): Compliance Demonstration
86 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
2-86 6NYCRR 237-1.6(f): Liability- facility and units with common stacks
87 6NYCRR 237-1.6(f): Liability- facility no common stacks
88 6NYCRR 237-1.6(g): Effect on other Authorities
89 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative
2-88 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.
2-89 6NYCRR 237-3.2: Submission of NOx budget permit application
90 6NYCRR 237-4.1: Compliance Demonstration
2-91 6NYCRR 237-4.1: Compliance Demonstration
91 6NYCRR 237-7.1: Submission of NOx allowance transfers
92 6NYCRR 237-8: Compliance Demonstration
2-95 6NYCRR 237-8: Compliance Demonstration
2-81 6NYCRR 238-1.6(a): Permit requirments to be included in new permits or units only
2-84 6NYCRR 238-1.6(c): Compliance Demonstration
2-85 6NYCRR 238-1.6(e): Compliance Demonstration
93 6NYCRR 238-1.6(f): Liability
2-87 6NYCRR 238-1.6(g): Effect on Other Authorities
95 6NYCRR 238-2.1: Submissions to the Department
2-90 6NYCRR 238-3.2: Submission of SO2 budget permit applications
2-92 6NYCRR 238-4.1: Compliance Demonstration
96 6NYCRR 238-7.1: Submission of SO2 allowance transfers
2-94 6NYCRR 238-8: Monitoring and Reporting requirments

Emission Unit Level

EU=U-00002

97 6NYCRR 238-1.4: Applicability
98 6NYCRR 238-1.6(a): Permit Requirments
99 6NYCRR 238-1.6(c): Compliance Demonstration
100 6NYCRR 238-1.6(e): Compliance Demonstration
101 6NYCRR 238-4.1: Compliance Demonstration
102 6NYCRR 238-8: Compliance Demonstration

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

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

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

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

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

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

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 -

Public Access to records and Section 114(c) of the Act.

Item C: **Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

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

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

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

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

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

This permit does not convey any property rights of any

sort or any exclusive privilege.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Item L: **Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to

the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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 2-3: **Acceptable Ambient Air Quality**
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 200.6

Item 2-3.1:
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 2-1: **Fees**
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-1.1:
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 2: **Recordkeeping and reporting of compliance monitoring**

Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 2.1:
The following information must be included in any required compliance monitoring records and reports:

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii)The company or entity that performed the analyses;

(iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;

(v) The results of such analyses including quality assurance data where required; and

(vi) The operating conditions as existing at the time of sampling or measurement.

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

Condition 3: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 3.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 4: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 4.1:
The Compliance Certification activity will be performed for the Facility.

Item 4.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must

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

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above

referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 5: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

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

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

Item 5.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

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

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

The address for the RAPCE is as follows:

NYSDEC
SUNY Campus
Building 40
Stony Brook, NY 11790-2356

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due on the same day each year

Condition 6: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 202-2.1

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

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

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

Condition 7: Recordkeeping requirements
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 202-2.5

Item 7.1:
(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 2-2: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 215

Item 2-2.1:
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

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

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

Condition 2-14: Maintenance of Equipment
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 200.7

Item 2-14.1:
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 2-5: Recycling and Salvage
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-1.7

Item 2-5.1:
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 2-6: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-1.8

Item 2-6.1:
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 2-7: Exempt Sources - Proof of Eligibility
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-7.1:
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 2-8: Trivial Sources - Proof of Eligibility
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-8.1:
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 2-9: Standard Requirement - Provide Information
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-9.1:
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 2-10: General Condition - Right to Inspect
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-10.1:
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 2-11: Standard Requirements - Progress Reports
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-11.1:
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 2-12: Off Permit Changes
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-12.1:
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 2-4: Required Emissions Tests
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 202-1.1

Item 2-4.1:
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 2-13: Visible Emissions Limited
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 211.3

Item 2-13.1:
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 42: Accidental release provisions.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 68

Item 42.1:
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 44: Recycling and Emissions Reduction
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 82, Subpart F

Item 44.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

Condition 1: Emission Unit Definition
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 1.1(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00001
Emission Unit Description:
Two identical GE Model LM2500 gas turbines and associated Heat Recovery Steam Generator(HRSG) with duct burners. The gas turbines may fire natural gas, distillate oil, or mixed fuel (gas/oil). Each HRSG on each gas turbine includes a duct burner for supplemental firing on natural gas only. The turbines may operate with or without the duct burners. Each turbine/hrsg combustion unit has a maximum heat input of 416 mmbtu/hr. The total heat input for the emission unit is 832 mmbtu/hr. There are two emission points for this emission unit consisting of one stack for each combustion turbine/hrsg combustion unit.

Building(s): 1

Item 1.2(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00002
Emission Unit Description:
Calpine Bethpage Inc. installed a GE LM6000 sprint combustion turbine, 3rd Turbine, at the existing cogeneration facility owned by TBG Cogen Partners. The GE LM6000 combustion turbine is fired exclusively with natural gas and has a nominal net electrical power output of less than 50 mw. The combustion turbine employs selective catalytic reduction for NOx control and an oxidation catalyst system for CO control.

Building(s): CT

Item 1.3(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00003

Emission Unit Description:
This emission unit will consist of a GE LM6000 SPRINTcombustion turbine, a once through steam generator equipped with duct burners, and a 2 cell cooling tower. The combustion turbine and the duct burners will operate exclusively on natural gas.

Building(s): CTG3

Condition 2-22: Permit requirements (To be included only in new permits or units).
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-1.6

Replaces Condition(s) 8

Item 2-22.1: The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) no later than 12 months before the date on which the NOx Budget unit commences operation.

Condition 2-28: Authorized Account Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-2

Item 2-28.1:
(1) Except where an alternate NOx authorized account representative has been appointed as provided under 6 NYCRR 204-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

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

Condition 9: Submissions to the Department.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-2.1

Item 9.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 2-33: Submissions to the Department
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-2.1(e)

Item 2-33.1:

Item 2-33.2: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 10: Contents of reports and compliance certifications.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 10.1: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx Budget unit; and

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

(i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
(ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
(iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
(iv) Whether the facts that form the basis for certification under Subpart 204-8 of each

monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
(v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Condition 2-36: Contents of reports and compliance certifications.
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 2-36.1: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx Budget unit; and

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

(i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
(ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
(iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
(iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
(v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

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

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

Condition 11: Discretionary report contents.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 11.1: At the NOx authorized account representative's option the following may be included in the compliance certification report:

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

Condition 12: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 12.1:
The Compliance Certification activity will be performed for the Facility.

Item 12.2:
Compliance Certification shall include the following monitoring:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-37: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 2-37.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-37.2:
Compliance Certification shall include the following monitoring:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 13: Submission of NOx allowance transfers.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-7.1

Item 13.1: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 14: General provisions.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 14.1: The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 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 replaced by the terms "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

Condition 15: Prohibitions.

Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 15.1: No owner or operator of a NOx Budget unit or a non-NOx Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

(1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
(2) operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;
(3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and
(4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:

(i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or
(ii) The NOx authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

Condition 2-44: Reference to 40CFR and list of requirements.
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 2-44.1: The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 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 replaced by the terms "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

The owner or operator of each NOx Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

(1) Install all monitoring systems required under this Subpart for monitoring NOx mass.

This includes all systems required to monitor NOx emission rate, NOx concentration, heat input, and 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 16: Requirements for installation, certification, and data accounting.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 16.1: 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 17: Requirements for recertification of monitoring systems.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2

Item 17.1: 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 change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 2-45: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2

Item 2-45.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-45.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a NOx Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NOx mass, heat input (if required for purposes of allocations) and any other values required to determine NOx Mass (e.g. NOx emission rate and heat input or NOx concentration and stack flow) using the provisions of 40 CFR 75.70(g), from the date and hour that the unit starts operating until all required certification tests are successfully completed.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 18: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2

Item 18.1:
The Compliance Certification activity will be performed for the Facility.

Item 18.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a NOx Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NOx mass, heat input (if required for purposes of allocations) and any other values required to determine NOx Mass (e.g. NOx emission rate and heat input or NOx concentration and stack flow) using the provisions of 40 CFR 75.70(g), from the date and hour that the unit starts operating until all required certification tests are successfully completed.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-46: Requirements for recertification of monitoring systems
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2(b)(2)

Item 2-46.1:
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 change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 19: Out of control periods.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.3

Item 19.1: Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

Condition 20: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.4

Item 20.1:
The Compliance Certification activity will be performed for the Facility.

Item 20.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department (

one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office. All Authorized Account Representative changes shall be sent to the NYSDEC central office.

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

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division
1200 Pennsylvania Avenue
Washington D.C. 20460

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

The address for the BCME is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

NYS SUNY
Building 40
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-47: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.4

Item 2-47.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-47.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division
1200 Pennsylvania Avenue, NW
Mail Code 6204J
Washington D.C. 20460

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

The address for the BQA is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

NYSDEC Region 1
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-48: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.5

Item 2-48.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The NOx authorized account representative shall submit each quarterly report to the department and 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 subpart H of 40 CFR part 75 and 40 CFR 75.64.

- For units subject to an Acid Rain Emissions limitation, quarterly reports shall include all of the data and information required in subpart H of 40 CFR part 75 for each NOx budget unit (or group of units using a common stack) as well as information required in subpart G of 40 CFR part 75.

- For units not subject to an acid rain emissions limitation, quarterly reports are only required to include all of the data and information required in subpart H of 40 CFR part 75 for each NOx budget unit (or group of units using a common stack).

Compliance certification

The NOx authorized account representative shall submit to the department and the administrator 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 NOx emission controls and for all hours where 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 monitoring plan and the substitute values do not systematically underestimate NOx emissions; and

(iii) for a unit that is reporting on a control period basis under this subdivision the NOx emission rate and NOx 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 NOx emissions.

The NOx authorized account representative shall comply with all recordkeeping and reporting requirements in this section and with the requirements of section 204-2.1(e) of 6 NYCRR Part 204.

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-51: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.7

Item 2-51.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-51.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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

Monitoring Frequency: CONTINUOUS
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 21: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.7

Item 21.1:
The Compliance Certification activity will be performed for the Facility.

Item 21.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Frequency: HOURLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 2-20: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 225-1.2

Item 2-20.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-20.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:
THE SULFUR CONTENT OF FUEL OIL USED AT THIS FACILITY SHALL NOT CONTAIN MORE THAN 0.37% SULFUR BY WEIGHT. THE SULFUR CONTENT IS SAMPLED AND ANALYZED IN ACCORDANCE WITH PROCEDURES, METHODS, AND FREQUENCIES ESTABLISHED IN 40 CFR 60.334(B) AND 40 CFR 60.335.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.37 percent by weight
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 22: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 225-1.2

Item 22.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 22.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
THE SULFUR CONTENT OF FUEL OIL USED AT THIS FACILITY SHALL NOT CONTAIN MORE THAN 0.37% SULFUR BY WEIGHT. THE SULFUR CONTENT IS SAMPLED AND ANALYZED IN ACCORDANCE WITH PROCEDURES, METHODS, AND FREQUENCIES ESTABLISHED IN 40 CFR 60.334(B) AND 40 CFR 60.335.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.37 percent by weight
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 23: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 225-1.2(c)

Item 23.1:
The Compliance Certification activity will be performed for the Facility.

Item 23.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
OWNER OR OPERATOR SHALL NOT SELL, OFFER FOR SALE, PURCHASE OR USE DISTILLATE FUEL OIL WHICH CONTAINS SULFUR IN A QUANTITY EXCEEDING THE SIP (PART 225-1 TABLE 1) LIMITATION. THIS SIP LIMITATION IS 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 NYSDEC.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: .37 percent by volume
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-21: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-21.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-21.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.
The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.
The permittee will conduct daily observations of visible emissions from each emission unit whenever fuel oil is used. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.
The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.
Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40CFR Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-35: Emission Reduction Credits
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 231-2.4

Item 2-35.1:
To satisfy the emission offset requirements of Part 232, the facility has obtained 34.62 tpy of NOx Emission Reduction Credits (ERC's) from the following source:

Facility Name	DEC ID#	ERC's (TPY)
Morgan Stanley	2-6301-00006	25
Stony Brook Faciliy	1-4722-02441	9.62

Condition 2-23: Permit Requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-23.1:
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.

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

Condition 2-24: Monitoring requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-24.1:
The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under subdivision (c) of this section.

Condition 2-25: NOx Ozone Season Emission Requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-25.1:
As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NOx ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

A CAIR NOx Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under sections 243-8.1(b)(1), (2), (3), or (7) and for each control period thereafter.

A CAIR NOx Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NOx Ozone Season allowance was allocated.

CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with Subparts 243-6, 243-7, and 243-9.

A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under section 243-1.5 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

A CAIR NOx Ozone Season allowance does not constitute a property right.

Upon recordation by the Administrator under Subpart 243-6, 243-7, or 243-9, every allocation, transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

Condition 2-26: Excess emission requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-26.1:
If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:

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

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

Condition 2-27: Recordkeeping and reporting requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-27.1:
Unless otherwise provided, the owners and operators of the CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

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

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

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

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

Condition 2-32: Authorization and responsibilities of CAIR designated representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-2.1

Item 2-32.1:
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 2-34: Certificate of representation
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-2.4

Item 2-34.1:
Unless otherwise required by the department or the Administrator, documents of agreement referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

Condition 2-42: General requirements
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-8.1

Item 2-42.1:
The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NOx Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 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 NOx Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NOx Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NOx Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NOx Ozone Season unit shall:

(1) install all monitoring systems required under this Subpart for monitoring NOx mass emissions and individual unit heat input (including all systems required to monitor NOx emission rate, NOx concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);

(2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

Condition 2-43: Prohibitions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-8.1

Item 2-43.1:
No owner or operator of a CAIR NOx Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

No owner or operator of a CAIR NOx Ozone Season unit shall 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.

No owner or operator of a CAIR NOx Ozone Season unit shall 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 or heat input, 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.

No owner or operator of a CAIR NOx Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this Subpart, except under any one of the following circumstances:
(i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
(ii) 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 retired or discontinued monitoring system; or
(iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

Condition 2-49: Quarterly reports
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-49.1:
The CAIR designated representative shall submit quarterly reports, as follows:

If the CAIR NOx Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NOx emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NOx mass emissions) for such unit for the entire year and shall report the NOx mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

(i) for a unit that commences commercial operation before July 1, 2007, the calendar quarter covering May 1, 2008 through June 30, 2008;

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

The CAIR designated representative shall submit each quarterly report to the

Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

For CAIR NOx Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NOx 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 NOx mass emission data, heat input data, and other information required by this Subpart.

Condition 2-50: Compliance certification
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-50.1:
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 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; and

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NOx emission rate and NOx 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 NOx emissions.

Condition 2-17: CAIR General and Permit Requirments
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-1

Item 2-17.1:

(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 previuos 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 2-18: CAIR NOx Annual Trading Program General Conditions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-1

Item 2-18.1:
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) 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. A CAIR NOx allowance shall not be deducted for a control

period in a calendar year before the year for which the CAIR NOx 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 NOx allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NOx 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 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: [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 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.

Condition 2-29: Designated CAIR Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-2

Item 2-29.1:
(1) Each CAIR NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent

and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source.

(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."

Condition 2-30: Designated CAIR Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-2

Item 2-30.1:
1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my

knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [244-2.1(e)]

Condition 2-40: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-8

Item 2-40.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-40.2:
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 NOx mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each

continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-41: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-8

Item 2-41.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-41.2:
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 Clean Air Interstate Rule (CAIR) designated representative, of a CAIR NOx unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 244-1.2 and in 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 NOx unit," "CAIR designated representative," and "continuous emission

monitoring system" (or "CEMS") respectively, as defined in section 244-1.2. [244-8.1]

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

3) 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)]

4) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 244-8.5, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1).
[244-8.5(a)]

5) The owner or operator of a CAIR NOx unit shall comply with requirements of 40 CFR 75.73(c) and (e) for monitoring plans. [244-8.5(b)]

6) The CAIR designated representative shall submit a certification application to the department within 45 days

after completing all initial certification or recertification tests required under section 244-8.2, including the information required under 40 CFR 75.63. [244-8.5(c)]

7) The CAIR designated representative shall submit quarterly reports of 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 covering January 1, 2008 through March 31, 2008; unless the unit commences commercial operation on or after July 1, 2007, then quarterly reporting commences with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 244-8.1(b). [244-8.5(d)(1)]

8) 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). [244-8.5(d)(2)]

9) 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 Subpart 244-8. [244-8.5(d)(3)]

10) 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: [244-8.5(e)]

(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.

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-16: CAIR General and Permit Requirments
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-1

Item 2-16.1:
(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 2-19: CAIR SO2 Trading Program General Provisions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-1

Item 2-19.1:
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 2-31: Designated CAIR Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-2

Item 2-31.1:
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 2-38: Monitoring and Reporting SO2 Emissions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-8

Item 2-38.1:
(1)The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR SO2 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this section 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) 'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR SO2 unit shall:

(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. (245-8.1(a))

(3) 'Compliance deadlines.' The owner or operator shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the following dates.

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

(ii) For the owner or operator of a 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. (245-8.1(b))

(4) 'Reporting data.' The owner or operator of a CAIR SO2 unit that does not meet the applicable compliance date set forth in this section for any monitoring system under paragraph 2 of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for SO2 concentration, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine SO2 mass emissions and heat input in accordance with 40 CFR 75.31(b)(2) or (c)(3) or 40 CFR Part 75, appendix D, section 2.4, as applicable. (245-8.1(c))

Condition 2-39: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-8

Item 2-39.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-39.2:
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 NOX Annual Trading Program, CAIR NOX 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-15: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-15.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-15.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
FUEL OIL CONSUMPTION IS LIMITED TO A ROLLING ANNUAL AVERAGE OF 11.1 MILLION GALLONS PER YEAR.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 11100000.0 gallons per year
Reference Test Method: NA
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 24: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 24.1:
The Compliance Certification activity will be performed for the Facility.

Item 24.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
FUEL OIL CONSUMPTION IS LIMITED TO A ROLLING ANNUAL AVERAGE OF 11.1 MILLION GALLONS PER YEAR.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 11100000.0 gallons per year
Reference Test Method: NA
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 25: EPA Region 2 address.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 25.1:
All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

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

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

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

Condition 26: Date of construction notification.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 26.1:
Any owner or operator subject to this part shall furnish the Administrator with the following information:

1) a notification of the date construction or reconstruction commenced, postmarked no later than 30 days after such date;

3) a notification of the actual date of initial start up, postmarked within 15 days after such date;

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

5) a notification of the date upon which the demonstration of continuous monitoring

system performance commences, postmarked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and

7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

Condition 27: Recordkeeping requirements.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 27.1:
Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 28: Excess emissions report.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 28.1:
Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall contain the following information:

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

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

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

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

Condition 29: Excess emissions report.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 29.1:
A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 30: Facility files for subject sources.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 30.1:
The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations;all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 31: Performance testing timeline.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 31.1:
Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 32: Performance test methods.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 32.1:
Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

Condition 33: Required performance test information.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 33.1:
Performance tests shall be conducted under such conditions specified by the Administrator,

based upon representative performance data supplied by the owner or operator of the facility.

Condition 34: Prior notice.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 34.1:
The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 35: Performance testing facilities.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 35.1:
The following performance testing facilities shall be provided during all tests:

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

2) a safe sampling platform;

3) a safe access to the sampling platform; and

4) utilities for sampling and testing equipment.

Condition 36: Availability of information.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 36.1:
The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 37: Opacity standard compliance testing.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 37.1:
The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

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

Condition 38: Circumvention.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 38.1:
No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 39: Monitoring requirements.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 39.1:
All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 40: Modifications.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 40.1:
Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 41: Reconstruction
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 41.1:
The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

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

2) name and address of the owner or operator;

3) the location of the existing facility;

4) a brief description of the existing facility and the components to be replaced;

5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;

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

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

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

Condition 43: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 72

Item 43.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

Condition 45: Process Definition By Emission Unit
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 45.1(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: DBG Source Classification Code: 1-03-006-01
Process Description:
TWO DUCT BURNERS, ONE ON EACH HRSG, FIRING NATURAL GAS WITHOUT OPERATION OF THE TURBINES. THIS PROCESS IS PROVIDED TO IDENTIFY THE EMISSION LIMIT FOR THE DUCT BURNERS. THE DUCT BURNERS CANNOT OPERATE WITHOUT THE TURBINES.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Item 45.2(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: GTG Source Classification Code: 2-03-002-03
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING NATURAL GAS WITHOUT SUPPLEMENTAL FIRING OF THE DUCT BURNER. NOX EMISSIONS ARE CONTROLLED WITH STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.3(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: GTM Source Classification Code: 2-03-002-03
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING MIXED FUEL (NATURAL GAS AND DISTILLATE OIL) WITH OR WITHOUT SUPPLEMENTAL FIRING OF THE DUCT BURNER ON GAS. NOX IS CONTROLLED BY STEAM INJECTION AND CO IS CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.4(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: GTO Source Classification Code: 2-03-001-02
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING OIL WITHOUT SUPPLEMENTAL FIRING OF THE DUCT BURNER. NOX EMISSIONS ARE CONTROLLED WITH STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000GT - Combustion

Design Capacity: 254 million Btu per hour

Item 45.5(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: TGB Source Classification Code: 2-03-002-03
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING NATURAL GAS WITH SUPPLEMENTAL FIRING OF THE DUCT BURNER ON GAS. NOX EMISSIONS ARE CONTROLLED BY STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.6(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: TOB Source Classification Code: 2-03-001-02
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING OIL WITH SUPPLEMENTAL FIRING OF THE DUCT BURNER ON GAS. NOX EMISSIONS ARE CONTROLLED BY STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.7(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: 003 Source Classification Code: 2-03-002-03
Process Description:
GE LM6000 COMBUSTION TURBINE FIRING EXCLUSIVELY NATURAL GAS.

Emission Source/Control: 00007 - Combustion
Design Capacity: 475 million Btu per hour

Emission Source/Control: 00009 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 45.8(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: GSH Source Classification Code: 1-05-001-06
Process Description:
This process consists of 8 350,000 Btu/hr heat input gas fired only space heaters.

Emission Source/Control: 8GFSH - Combustion
Design Capacity: 350,000 British thermal units per hour

Item 45.9(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: OFB Source Classification Code: 1-02-005-03
Process Description:
This process consists of the operation of one 9.5 mmBtu/hr heat input distillate oil fired boiler.

Emission Source/Control: 1DOFB - Combustion
Design Capacity: 9.5 million BTUs per hour

Condition 47: Testing, monitoring, and reporting requirements for very large boilers.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 227-2.6(a)(1)

Item 47.1:
This Condition applies to Emission Unit: U-00001

Item 47.2:
The owner/operator shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

Condition 48: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 48.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF CARBON MONOXIDE IS REQUIRED.

Manufacturer Name/Model Number: TECO MODEL 48
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.102 pounds per million Btus
Reference Test Method: 40 CFR 60 APP B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 49.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
THE CARBON MONOXIDE CONTROL EQUIPMENT SHALL BE USED WHENEVER THE TURBINES ARE BEING OPERATED. THE CO CATALYST IS INTEGRAL TO THE COMBUSTION UNIT AND BY DESIGN MUST OPERATE WHEN THE TURBINE/HRSG IS ON-LINE.

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 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 50: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 50.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 50.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE SULFUR DIOXIDE
EMISSION LIMIT IS DEMONSTRATED THROUGH
SULFUR MONITORING OF FUEL IN ACCORDANCE
WITH 40 CFR 60.334 AND 60.335.

Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 86.6 pounds per hour
Reference Test Method: ASTM D-4294
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 51: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 51.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 51.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 0.025 pounds per million Btus
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-52: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-52.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-52.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 7.6 pounds per hour
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 52: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 52.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 52.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 7.6 pounds per hour
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-53: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-53.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-53.2:
Compliance Certification shall include the following monitoring:

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

MONOXIDE IS REQUIRED.

Manufacturer Name/Model Number: Thermo Environmental Industries 48C
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.102 pounds per million Btus
Reference Test Method: 40 CFR 60 APP B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-54: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-54.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF CARBON MONOXIDE IS REQUIRED.

Manufacturer Name/Model Number: Thermo Environmental Industries 48C
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.102 pounds per million Btus
Reference Test Method: 40 CFR 60 APP B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-55: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-55.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-55.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 0.025 pounds per million Btus
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-56: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-56.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-56.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE SULFUR DIOXIDE EMISSION LIMIT IS DEMONSTRATED THROUGH SULFUR MONITORING OF FUEL IN ACCORDANCE WITH 40 CFR 60.334 AND 60.335.

Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 86.6 pounds per hour

Reference Test Method: ASTM D-4294
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-57: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-57.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-57.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
THE CARBON MONOXIDE CONTROL EQUIPMENT SHALL BE USED WHENEVER THE TURBINES ARE BEING OPERATED. THE CO CATALYST IS INTEGRAL TO THE COMBUSTION UNIT AND BY DESIGN MUST OPERATE WHEN THE TURBINE/HRSG IS ON-LINE.

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 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-58: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 60, NSPS Subpart Db

Item 2-58.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-58.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
TBG HAS DEVELOPED AND SUBMITTED TO NYSDEC AND USEPA FOR APPROVAL A CUSTOM NSPS MONITORING, RECORDKEEPING AND REPORTING PLAN PURSUANT TO 40 CFR 60.13i TO SIMULTANEOUSLY COMPLY WITH 40 CFR 60 SUBPARTS Db AND GG. USEPA APPROVED (10/28/02) CUSTOM NSPS MONITORING, RECORDKEEPING AND REPORTING PLAN.

Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-59: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 60.332, NSPS Subpart GG

Item 2-59.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-59.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
A NOx CEMS IS USED TO DEMONSTRATE COMPLIANCE WITH SUBPART GG IN ACCORDANCE WITH A CUSTOM NSPS MONITORING, RECORDKEEPING AND REPORTING PLAN.

Manufacturer Name/Model Number: Thermo Environmental Industries 42C
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 96.4 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 55: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 55.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: DBG Emission Source: 000DB

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

Item 55.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THIS LIMIT APPLIES ONLY TO THE DUCT BURNER. COMPLIANCE WITH THIS LIMIT WAS DEMONSTRATED DURING THE INITIAL PERFORMANCE TEST. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.2 pounds per million Btus
Reference Test Method: 40CFR60 METHOD 7
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 56: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 56.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTG Emission Source: 000GT

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

Item 56.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 3.0 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 57: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 57.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTG Emission Source: 000GT

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

Item 57.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.014 pounds per million Btus
Reference Test Method: EPA METHOD 5

Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 58: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 58.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTG Emission Source: 000GT

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

Item 58.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS
REQUIRED TO DEMONSTRATE COMPLIANCE WITH
THE NOX EMISSION LIMITS ESTABLISHED IN
THE PSD PERMIT. THESE LIMITS ARE MORE
STRINGENT THAN THE NSPS LIMITS.
COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 42.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 59: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 59.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTM

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

Item 59.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
COMPLIANCE WITH THE NITROGEN OXIDE
EMISSION LIMIT IS DEMONSTRATED USING A
CONTINUOUS EMISSION MONITOR.

Manufacturer Name/Model Number: TECO MODEL 48
Upper Permit Limit: 60.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: GTM

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

Item 60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT FOR
OIL AND GAS ONLY OPERATION WAS
DEMONSTRATED AS PART OF INITIAL
PERMITTING. THIS PROPOSED OPERATION ON
MIXED FUEL WILL PRODUCE FEWER PARTICULATE
EMISSIONS THAN OIL ONLY OPERATION.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 10.0 pounds per hour
Reference Test Method: EPA METHOD 201/202A
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 61: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 61.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTO Emission Source: 000GT

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

Item 61.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.031 pounds per million Btus
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 62: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 62.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTO Emission Source: 000GT

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

Item 62.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS REQUIRED TO DEMONSTRATE COMPLIANCE WITH THE NOX EMISSION LIMITS ESTABLISHED IN THE PSD PERMIT. THESE LIMITS ARE MORE STRINGENT THAN THE NSPS LIMITS. COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 65.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 63: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 63.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTO Emission Source: 000GT

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

Item 63.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO

NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 7.5 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 64: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TGB

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

Item 64.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.015 pounds per million Btus
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 65: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001

Process: TGB

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

Item 65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS
REQUIRED TO DEMONSTRATE COMPLIANCE WITH
THE NOX EMISSION LIMITS ESTABLISHED IN
THE PSD PERMIT. THESE LIMITS ARE MORE
STRINGENT THAN THE NSPS LIMITS.
COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 42.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TGB

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

Item 66.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS
DEMONSTRATED DURING THE INITIAL
COMPLIANCE TEST AND THROUGH
MANUFACTURER'S SPECIFICATIONS. THE

INITIAL TEST REPORT WAS SUBMITTED TO
NYSDEC FOLLOWING THE COMPLETION OF THE
PERFORMANCE TEST.

Upper Permit Limit: 5.5 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 67: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TOB

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

Item 67.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS
DEMONSTRATED DURING THE INITIAL
COMPLIANCE TEST AND THROUGH
MANUFACTURER'S SPECIFICATIONS. THE
INITIAL TEST REPORT WAS SUBMITTED TO
NYSDEC FOLLOWING THE COMPLETION OF THE
PERFORMANCE TEST.

Upper Permit Limit: 10.0 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 68: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TOB

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

Item 68.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.025 pounds per million Btus
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 69: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TOB Emission Source: 000GT

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

Item 69.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS REQUIRED TO DEMONSTRATE COMPLIANCE WITH THE NOX EMISSION LIMITS ESTABLISHED IN THE PSD PERMIT. THESE LIMITS ARE MORE STRINGENT THAN THE NSPS LIMITS. COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 65.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 1-2: Compliance Certification
Effective between the dates of 09/23/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Replaces Condition(s) 72

Item 1-2.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 1-2.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Oxides of Nitrogen, NOx, is demonstrated through the use of a NOx continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB-Entertec
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.5 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 2-62: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-62.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 2-62.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A shutdown shall be defined as the period of time when the stop signal is initiated to when the fuel is no longer being combusted in the engine, not to exceed 20 minutes per occurrence. the owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF SHUTDOWN
Upper Permit Limit: 20 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-63: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-63.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Carbon Monoxide,CO, limit is demonstrated using a continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB Entertec
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 5.0 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-64: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-64.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-64.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 5 pounds in 20 minutes shall apply only during periods of shut-down, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 5 pounds

Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-65: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-65.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and operate a continuous emissions monitor for ammonia slip, in accordance with the manufacturer's specifications. This limit shall apply during periods of start-up or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 7.4 pounds
Reference Test Method: 40 CFR 60 App. F
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-66: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-66.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-66.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Oxides of Nitrogen, NOx, is demonstrated through the use of a NOx continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB-Entertec
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.5 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-67: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-67.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 2-67.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A start-up shall be defined as the period of time when the gas turbine begins firing fuel until the point when the control equipment operation has achieved a mass rate below 5.0 lb/hr and a concentration rate of 2.5 ppmvd (at 15% O2) for oxides of nitrogen. This period shall be limited to 30 minutes per occurrence. The owner or operator shall record each period of start-up and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF START UP
Upper Permit Limit: 30 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-68: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-68.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-68.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and operate a continuous emission monitor for ammonia slip, in accordance with manufacturer's specifications. This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: Method 027
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-69: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-69.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-69.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 15 pounds in 30 minutes shall apply only during periods of start-up, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 15 pounds
Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 70: Compliance Certification

Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

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

Item 70.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 5 pounds in 20 minutes shall apply only during periods of shut-down, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 5 pounds
Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 71: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

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

Item 71.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 15 pounds in 30 minutes shall apply only during periods of start-up, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 15 pounds
Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 73: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

Item 73.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A shutdown shall be defined as the period of time when the stop signal is initiated to when the fuel is no longer being combusted in the engine, not to exceed 20 minutes per occurrence. the owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF SHUTDOWN
Upper Permit Limit: 20 minutes
Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 74: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 74.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and operate a continuous emission monitor for ammonia slip, in accordance with manufacturer's specifications. This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: Method 027
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 76: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 76.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 76.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Carbon Monoxide,CO, limit is demonstrated using a continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB-Entertec
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 5.0 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 77: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 77.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and

operate a continuous emissions monitor for ammonia slip, in accordance with the manufacturer's specifications. This limit shall apply during periods of start-up or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 7.4 pounds
Reference Test Method: 40 CFR 60 App. F
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 2-61: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 231-2

Item 2-61.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-61.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Continuous monitoring of the Oxides of Nitrogen, NOx, is required to demonstrate compliance with the NOx emission limit.

Manufacturer Name/Model Number: Thermo Environmental Industries 42C
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 18.9 tons per year
Reference Test Method: 40CFR60 App. B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.

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

Condition 2-60: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-60.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Compliance with the PM/PM-10 limit was demonstrated
during the initial compliance test and through
manufacturer's specifications.

Upper Permit Limit: 3.0 pounds per hour
Reference Test Method: EPA Method 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 79: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00002

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

Item 79.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Compliance with the PM/PM-10 limit was demonstrated
during the initial compliance test and through
manufacturer's specifications.

Upper Permit Limit: 3.0 pounds per hour
Reference Test Method: EPA Method 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-70: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-70.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-70.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating
in combined cycle with duct firing.

Manufacturer Name/Model Number: Rosemont analytical NGA CLD by Emerson.
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 6.60 pounds per hour
Reference Test Method: 40 CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-71: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-71.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-71.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when gas turbine is operating without duct firing

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 7.75 pounds per hour
Reference Test Method: 40 CFR Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-72: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-72.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-72.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This facility shall install, calibrate, maintain, and operate a continuous 40CFR Part 75 emissions monitor for measuring and recording Oxides of Nitrogen. The facility shall also install either a contuous monitor for Oxigen or Carbon Dioxide. All records shall be maintained at the facility for at least five years. The 2.5 ppmvd limit for natural gas firing shall be applicable at all times except during periods pf start-up or shautdown.

Manufacturer Name/Model Number: Rosemont analytical NGA CLD by Emerson.
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.5 parts per million by volume
(dry, corrected to 15% O2)

Reference Test Method: 40CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-73: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-73.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-73.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The owner or operator of this facilityshall install, calibrate, maintain, and operate a continuous emission monitor for ammonia slip. Records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: AMMONIA
Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: 40 CFR Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-74: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-74.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-74.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating with duct firing.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 10.30 pounds per hour
Reference Test Method: 40 CFR Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-75: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-75.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-75.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating without the duct burner.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: AMMONIA
Upper Permit Limit: 6.33 pounds per hour
Reference Test Method: 40CFR 60 Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-76: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-76.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-76.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating with duct firing.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: AMMONIA
Upper Permit Limit: 9.70 pounds per hour
Reference Test Method: 40 CFR Prt 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-77: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-77.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Item 2-77.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A start-up shall be defined as the period of time when the gas turbine begins firing fuel until the point when the control equipment operation has achieved a mass rate below 5.0 lb/hr and a concentration rate of 2.5 ppmvd (at 15% O2) for oxides of nitrogen. This period shall be limited to 30 minutes per occurrence. The owner or operator shall record each period of start-up and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF START UP
Upper Permit Limit: 30 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-78: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-78.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Item 2-78.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A shutdown shall be defined as the period of time when the stop signal is initiated to when the fuel is no longer being combusted in the engine, not to exceed 20 minutes per occurrence. the owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF SHUTDOWN
Upper Permit Limit: 20 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
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 80: Contaminant List
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:ECL 19-0301

Item 80.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

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

CAS No: 007664-41-7
Name: AMMONIA

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

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

CAS No: 0NY998-00-0
Name: VOC

Condition 81: Unavoidable noncompliance and violations
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 201-1.4

Item 81.1:
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 2-93: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 201-5

Item 2-93.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-93.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

This facility was previously limited to combined cycle operation. The facility will be allowed to operate in simple cycle mode. The same emission limits and monitoring requirements apply during either mode of operation. The facility will maintain a log that records the hours of operation under both combined and simple cycle modes. These records must be kept for a minimum of five years. This log must be kept at the facility and available for inspection by the Department.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 82: Air pollution prohibited
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 211.2

Item 82.1:
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 2-79: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-79.1:
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 83: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 83.1:
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 2-80: General condition (specifying 12 month submital)
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-80.1: 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; twelve (12) months before the date on which the NOx Budget unit 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 84: Permit Requirements

Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 84.1:
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(b); 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 2-82: Permit requirments to be included in new permits or units.
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-82.1: 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(b); 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 2-83: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-83.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-83.2:
Compliance Demonstration shall include the following monitoring:

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

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

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

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

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

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

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

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

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 85: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 85.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 85.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

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

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

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

The owners and operators of a NOx budget unit that has

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 86: Recordkeeping and Reporting Requirements
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 86.1:
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.

Condition 2-86: Liability- facility and units with common stacks
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-86.1:
No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget source (including a provision applicable to the NOx authorized account representative of a NOx budget source) shall also apply to the owners and operators of such source and of the NOx budget units at the source.

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

Condition 87: Liability- facility no common stacks
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 87.1:
No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget source (including a provision applicable to the NOx authorized account representative of a NOx budget source) shall also apply to the owners and operators of such source and of the NOx budget units at the source.

Condition 88: Effect on other Authorities
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 88.1:
No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

Condition 89: Authorization and responsibilities of the NOx authorized account representative
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-2

Item 89.1:

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account

representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, not withstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

Condition 2-88: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.

Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-2

Item 2-88.1: Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, not withstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

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

Condition 2-89: Submission of NOx budget permit application
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-3.2

Item 2-89.1: For any source, with any NOx budget unit subject to this Acid Deposition Reduction NOx Budget Trading Program (under 6NYCRR 237-1.4) the NOx budget authorized account representative shall submit a complete NOx budget permit application containing the information required by 6NYCRR 237-3.3 covering such NOx budget unit to the Department at least 12 months before the date on which the NOx budget unit commences operation.

Condition 90: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-4.1

Item 90.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 90.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

(1) identification of each NOx budget unit;

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

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

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

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

In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for

operating the source and the NOx budget units at the source in compliance with the Acid Deposition Reduction (ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

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

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

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

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

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-91: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-4.1

Item 2-91.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-91.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

(1) identification of each NOx budget unit;

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

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

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

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

In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the Acid Deposition Reduction

(ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

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

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

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

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

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 91: Submission of NOx allowance transfers
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-7.1

Item 91.1:
The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the department or its agent:

(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 92: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-8

Item 92.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 92.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-95: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-8

Item 2-95.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-95.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-81: Permit requirments to be included in new permits or units only
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-81.1:
The SO2 authorized account representative of each SO2 budget unit shall:

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

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

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

Condition 2-84: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-84.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-84.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

Except for future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO2 allowance

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

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

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

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

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-85: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-85.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-85.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Unless otherwise provided, the owners and operators of the SO2 budget source and each SO2 budget unit at the source shall keep on site or at a site approved by the Department 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.

The account certificate of representation for the SO2 authorized account representative for the source and each SO2 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 238-2.4; 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 SO2 authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO2 Budget Trading Program;

Copies of all documents used to complete an SO2 budget permit application and any other submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 93: Liability
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 93.1:
No permit revision shall excuse any violation of the requirements of the ADR SO2 Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget source (including a provision applicable to the SO2 authorized account representative of an SO2 budget source) shall also apply to the owners and operators of such source and of the SO2 budget units at the source;

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget

unit (including a provision applicable to the SO2 authorized account representative of an SO2 budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO2 authorized account representative of one SO2 budget unit shall not be liable for any violation by any other SO2 budget unit of which they are not owners or operators or the SO2 authorized account representative and that is located at a source of which they are not owners or operators or the SO2 authorized account representative.

Condition 2-87: Effect on Other Authorities
Effective between the dates of 09/26/2008 and 08/05/2009

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

Replaces Condition(s) 94

Item 2-87.1:
No provision of the ADR SO2 Budget Trading Program, an SO2 budget permit application, or an SO2 budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO2 authorized account representative of an SO2 budget source or SO2 budget unit from compliance with any other provisions of applicable State and federal law and regulation.

Condition 95: Submissions to the Department
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-2.1

Item 95.1:
Each submission under the Acid Depositiion Reduction (ADR) SO2 Budget Trading Program shall be submitted, signed, and certified by the SO2 authorized account representative for each SO2 budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO2 authorized account representative:

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

Condition 2-90: Submission of SO2 budget permit applications
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 238-3.2

Item 2-90.1: For any source, with any SO2 budget unit subject to this Acid Deposition Reduction SO2 Budget Trading Program, the SO2 budget authorized account representative shall submit a complete SO2 budget permit application containing the information required by 6NYCRR 238-3.3 covering such SO2 budget unit to the Department at least 12 months before the date on which the SO2 budget unit commences operation.

Condition 2-92: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 238-4.1

Item 2-92.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-92.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

For each control period in which one or more SO2 budget units at a source are subject to the SO2 budget emissions limitation, the SO2 authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO2 authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO2 budget emissions limitation for the control period covered by the report:

(1) identification of each SO2 budget unit;

(2) except in instances when the SO2 budget unit seeks to use future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO2 authorized account representative's option, the serial numbers of the SO2 allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO2 authorized account representative's option, for units sharing a common stack and having SO2 emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO2 allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO2 authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO2 budget units at the source in compliance with the ADR SO2 Budget Trading Program, whether each SO2 budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO2 Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO2 budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO2 emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO2 emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when

a change mandated the need for monitor recertification.

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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 96: Submission of SO2 allowance transfers
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-7.1

Item 96.1:
The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

(a) the numbers identifying both the transferor and transferee accounts;

(b) a specification by serial number of each SO2 allowance to be transferred; and

(c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

Condition 2-94: Monitoring and Reporting requirments
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 238-8

Item 2-94.1: The owners and operators, and to the extent applicable, the SO2 authorized account representative of an SO2 budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO2 budget unit," and "SO2 authorized account representative," respectively, as defined in NYCRR 238-1.2.

**** Emission Unit Level ****

Condition 97: Applicability
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-1.4

Item 97.1:
This Condition applies to Emission Unit: U-00002

Item 97.2:
The administrator has determined this to be an affected SO2 budget unit as defined at 42 U.S.C. section 7651a(2); and is subject to the requirements of NYCRR Part 238. With the exception of any SO2 budget unit which has shutdown in accordance with section 238-1.5 and which no longer has any outstanding compliance obligations stemming from its prior operation, NYCRR 238 applies to every SO2 budget unit.

Condition 98: Permit Requirments
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 98.1:
This Condition applies to Emission Unit: U-00002

Item 98.2:
The SO2 authorized account representative of each SO2 budget unit shall:
(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2(b);

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

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

Condition 99: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 99.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 99.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owners and operators of each SO2 budget source and each SO2 budget unit at the source shall hold SO2

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

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

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

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

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

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

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

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 100: Compliance Demonstration

Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 100.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 100.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Unless otherwise provided, the owners and operators of the SO2 budget source and each SO2 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.

The account certificate of representation for the SO2 authorized account representative for the source and each SO2 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 238-2.4; 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 SO2 authorized account representative;
All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO2 Budget Trading Program;

Copies of all documents used to complete an SO2 budget permit application and any other submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 101: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-4.1

Item 101.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 101.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

For each control period in which one or more SO2 budget units at a source are subject to the SO2 budget emissions limitation, the SO2 authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO2 authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO2 budget emissions limitation for the control period covered by the report:

(1) identification of each SO2 budget unit;

(2) except in instances when the SO2 budget unit seeks to use future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO2 authorized account representative's option, the serial numbers of the SO2 allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO2 authorized account representative's option, for units sharing a common stack and having SO2 emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO2 allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the

statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO2 authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO2 budget units at the source in compliance with the ADR SO2 Budget Trading Program, whether each SO2 budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO2 Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO2 budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO2 emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO2 emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 102: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-8

Item 102.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 102.2:
Compliance Demonstration shall include the following monitoring:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-2824-00947/00004
Mod 0 Effective Date: 08/06/2004 Expiration Date: 08/05/2009

Mod 1 Effective Date: 09/23/2004 Expiration Date: 08/05/2009

Mod 2 Effective Date: 09/26/2008 Expiration Date: 08/05/2009

Permit Issued To:BETHPAGE ENERGY CENTER 3 LLC
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

CPN BETHPAGE 3RD TURBINE INC
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

TBG COGEN PARTNERS
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

Contact: JULIE A STINEDURF
CALPINE CORPORATION
717 TEXAS AVE STE 1000
HOUSTON, TX 77002
(713) 830-8618

Facility: TBG COGEN FACILITY
939 S BROADWAY
HICKSVILLE, NY 11801-5032

Description:

Modify the TV Permit for the TBG Cogen Partners facility by adding the new GE LM6000 SPRINT gas turbine which was previously authorized under a State Facility preconstruction permit issued to CPN 3rd Turbine, Inc. This modification also adds an auxiliary boiler and space heaters for the turbine building (attached as exempt activities) to the TV permit.

The existing TBG Cogen Partners facility includes a cogeneration plant, peaking power plant and a combined cycle power plant. The cogeneration plant consists of two identical GE LM2500 combustion turbines, two heat recovery boilers with duct burners and steam turbine generator. The LM2500 units are permitted to fire natural gas and distillate oil, while the duct burners are limited to natural gas. The peaking power plant consists of one GELM6000 combustion turbine permitted to fire only natural gas. The combined cycle power plant consists of one LM6000 combustion turbine and once-through boiler with duct burner permitted to fire

natural gas exclusively. The auxiliary boiler and furnaces will provide space heating for the turbine building when the cogeneration plant is out of service.

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

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

Authorized Signature: _____ Date: ___ / ___ / _____

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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

LIST OF CONDITIONS

DEC GENERAL CONDITIONS
General Provisions
Facility Inspection by the Department
Relationship of this Permit to Other Department Orders and Determinations
Applications for permit renewals, modifications and transfers
Applications for Permit Renewals and Modifications
Permit modifications, suspensions or revocations by the Department
Permit Modifications, Suspensions and Revocations by the Department
Facility Level
Submission of Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS

DEC GENERAL CONDITIONS
****** General Provisions ******
For the purpose of your Title V permit, the following section contains state-only enforceable terms and conditions.
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

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

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

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

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

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

Condition 2-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6NYCRR 621.11

Item 2-1.1:
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 2-1.2:
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 2-1.3:
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 3: Applications for Permit Renewals and Modifications
Applicable State Requirement: 6NYCRR 621.13

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

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

Item 3.3:
Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 2-2: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6NYCRR 621.13

Item 2-2.1:
The Department reserves the right to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

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

Condition 4: Permit Modifications, Suspensions and Revocations by the Department
Applicable State Requirement: 6NYCRR 621.14

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 Applications for Permit Modification or Renewal-REGION 1 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.5(a)

Item 5.1:
Submission of applications for permit modification or renewal are to be submitted to:

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

Condition 2-3: Submission of application for permit modification or renewal-REGION 1 HEADQUARTERS
Applicable State Requirement: 6NYCRR 621.6(a)

Item 2-3.1:
Submission of applications for permit modification or renewal are to be submitted to:

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

Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: BETHPAGE ENERGY CENTER 3 LLC
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

CPN BETHPAGE 3RD TURBINE INC
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

TBG COGEN PARTNERS
717 TEXAS AVE STE 1000
HOUSTON, TX 77002

Facility: TBG COGEN FACILITY
939 S BROADWAY
HICKSVILLE, NY 11801-5032

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

Mod 0 Permit Effective Date: 08/06/2004 Permit Expiration Date: 08/05/2009

Mod 1 Permit Effective Date: 09/23/2004 Permit Expiration Date: 08/05/2009

Mod 2 Permit Effective Date: 09/26/2008 Permit Expiration Date: 08/05/2009

LIST OF CONDITIONS

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General Provisions

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

Facility Level

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

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

2-3 6NYCRR 200.6: Acceptable Ambient Air Quality
2-1 6NYCRR 201-6.5(a)(7): Fees
2 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
3 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
4 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
5 6NYCRR 201-6.5(e): Compliance Certification
6 6NYCRR 202-2.1: Compliance Certification
7 6NYCRR 202-2.5: Recordkeeping requirements
2-2 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
2-14 6NYCRR 200.7: Maintenance of Equipment
2-5 6NYCRR 201-1.7: Recycling and Salvage
2-6 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
2-7 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
2-8 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
2-9 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
2-10 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
2-11 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
2-12 6NYCRR 201-6.5(f)(6): Off Permit Changes
2-4 6NYCRR 202-1.1: Required Emissions Tests
2-13 6NYCRR 211.3: Visible Emissions Limited
42 40CFR 68: Accidental release provisions.
44 40CFR 82, Subpart F: Recycling and Emissions Reduction
1 6NYCRR 201-6: Emission Unit Definition
2-22 6NYCRR 204-1.6: Permit requirements (To be included only in new permits or units).
2-28 6NYCRR 204-2: Authorized Account Representative
9 6NYCRR 204-2.1: Submissions to the Department.
2-33 6NYCRR 204-2.1(e): Submissions to the Department

10 6NYCRR 204-4.1: Contents of reports and compliance certifications.
2-36 6NYCRR 204-4.1: Contents of reports and compliance certifications.
11 6NYCRR 204-4.1: Discretionary report contents.
12 6NYCRR 204-4.1: Compliance Certification
2-37 6NYCRR 204-4.1: Compliance Certification
13 6NYCRR 204-7.1: Submission of NOx allowance transfers.
14 6NYCRR 204-8.1: General provisions.
15 6NYCRR 204-8.1: Prohibitions.
2-44 6NYCRR 204-8.1: Reference to 40CFR and list of requirements.
16 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
17 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
2-45 6NYCRR 204-8.2: Compliance Certification
18 6NYCRR 204-8.2: Compliance Certification
2-46 6NYCRR 204-8.2(b)(2): Requirements for recertification of monitoring systems
19 6NYCRR 204-8.3: Out of control periods.
20 6NYCRR 204-8.4: Compliance Certification
2-47 6NYCRR 204-8.4: Compliance Certification
2-48 6NYCRR 204-8.5: Compliance Certification
2-51 6NYCRR 204-8.7: Compliance Certification
21 6NYCRR 204-8.7: Compliance Certification
2-20 6NYCRR 225-1.2: Compliance Certification
22 6NYCRR 225-1.2: Compliance Certification
23 6NYCRR 225-1.2(c): Compliance Certification
2-21 6NYCRR 227-1.3(a): Compliance Certification
2-35 6NYCRR 231-2.4: Emission Reduction Credits
2-23 6NYCRR 243-1.6(a): Permit Requirements
2-24 6NYCRR 243-1.6(b): Monitoring requirements
2-25 6NYCRR 243-1.6(c): NOx Ozone Season Emission Requirements
2-26 6NYCRR 243-1.6(d): Excess emission requirements
2-27 6NYCRR 243-1.6(e): Recordkeeping and reporting requirements
2-32 6NYCRR 243-2.1: Authorization and responsibilities of CAIR designated representative
2-34 6NYCRR 243-2.4: Certificate of representation
2-42 6NYCRR 243-8.1: General requirements
2-43 6NYCRR 243-8.1: Prohibitions
2-49 6NYCRR 243-8.5(d): Quarterly reports
2-50 6NYCRR 243-8.5(e): Compliance certification
2-17 6NYCRR 244-1: CAIR General and Permit Requirments
2-18 6NYCRR 244-1: CAIR NOx Annual Trading Program General Conditions
2-29 6NYCRR 244-2: Designated CAIR Representative
2-30 6NYCRR 244-2: Designated CAIR Representative
2-40 6NYCRR 244-8: Compliance Certification
2-41 6NYCRR 244-8: Compliance Certification
2-16 6NYCRR 245-1: CAIR General and Permit Requirments
2-19 6NYCRR 245-1: CAIR SO2 Trading Program General Provisions
2-31 6NYCRR 245-2: Designated CAIR Representative
2-38 6NYCRR 245-8: Monitoring and Reporting SO2 Emissions
2-39 6NYCRR 245-8: Compliance Certification
2-15 40CFR 52.21, Subpart A: Compliance Certification

24 40CFR 52.21, Subpart A: Compliance Certification
25 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
26 40CFR 60.7(a), NSPS Subpart A: Date of construction notification.
27 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
28 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
29 40CFR 60.7(d), NSPS Subpart A: Excess emissions report.
30 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
31 40CFR 60.8(a), NSPS Subpart A: Performance testing timeline.
32 40CFR 60.8(b), NSPS Subpart A: Performance test methods.
33 40CFR 60.8(c), NSPS Subpart A: Required performance test information.
34 40CFR 60.8(d), NSPS Subpart A: Prior notice.
35 40CFR 60.8(e), NSPS Subpart A: Performance testing facilities.
36 40CFR 60.9, NSPS Subpart A: Availability of information.
37 40CFR 60.11, NSPS Subpart A: Opacity standard compliance testing.
38 40CFR 60.12, NSPS Subpart A: Circumvention.
39 40CFR 60.13, NSPS Subpart A: Monitoring requirements.
40 40CFR 60.14, NSPS Subpart A: Modifications.
41 40CFR 60.15, NSPS Subpart A: Reconstruction
43 40CFR 72: Facility Subject to Title IV Acid Rain Regulations and Permitting

Emission Unit Level

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EU=U-00001

47 6NYCRR 227-2.6(a)(1): Testing, monitoring, and reporting requirements for very large boilers.
48 40CFR 52.21, Subpart A: Compliance Certification
49 40CFR 52.21, Subpart A: Compliance Certification
50 40CFR 52.21, Subpart A: Compliance Certification
51 40CFR 52.21, Subpart A: Compliance Certification
2-52 40CFR 52.21, Subpart A: Compliance Certification
52 40CFR 52.21, Subpart A: Compliance Certification
2-53 40CFR 52.21, Subpart A: Compliance Certification
2-54 40CFR 52.21, Subpart A: Compliance Certification
2-55 40CFR 52.21, Subpart A: Compliance Certification
2-56 40CFR 52.21, Subpart A: Compliance Certification
2-57 40CFR 52.21, Subpart A: Compliance Certification
2-58 40CFR 60, NSPS Subpart Db: Compliance Certification
2-59 40CFR 60.332, NSPS Subpart GG: Compliance Certification

EU=U-00001,Proc=DBG,ES=000DB

55 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=GTG,ES=000GT

56 40CFR 52.21, Subpart A: Compliance Certification
57 40CFR 52.21, Subpart A: Compliance Certification
58 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=GTM

59 40CFR 52.21, Subpart A: Compliance Certification
60 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=GTO,ES=000GT
61 40CFR 52.21, Subpart A: Compliance Certification
62 40CFR 52.21, Subpart A: Compliance Certification
63 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=TGB
64 40CFR 52.21, Subpart A: Compliance Certification
65 40CFR 52.21, Subpart A: Compliance Certification
66 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=TOB
67 40CFR 52.21, Subpart A: Compliance Certification
68 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00001,Proc=TOB,ES=000GT
69 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00002
1-2 6NYCRR 201-6: Compliance Certification
2-62 6NYCRR 201-6: Compliance Certification
2-63 6NYCRR 201-6: Compliance Certification
2-64 6NYCRR 201-6: Compliance Certification
2-65 6NYCRR 201-6: Compliance Certification
2-66 6NYCRR 201-6: Compliance Certification
2-67 6NYCRR 201-6: Compliance Certification
2-68 6NYCRR 201-6: Compliance Certification
2-69 6NYCRR 201-6: Compliance Certification
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74 6NYCRR 201-6: Compliance Certification
76 6NYCRR 201-6: Compliance Certification
77 6NYCRR 201-6: Compliance Certification
2-61 6NYCRR 231-2: Compliance Certification
2-60 40CFR 52.21, Subpart A: Compliance Certification
79 40CFR 52.21, Subpart A: Compliance Certification

EU=U-00003
2-70 6NYCRR 201-6: Compliance Certification
2-71 6NYCRR 201-6: Compliance Certification
2-72 6NYCRR 201-6: Compliance Certification
2-73 6NYCRR 201-6: Compliance Certification
2-74 6NYCRR 201-6: Compliance Certification
2-75 6NYCRR 201-6: Compliance Certification
2-76 6NYCRR 201-6: Compliance Certification
2-77 6NYCRR 201-6: Compliance Certification
2-78 6NYCRR 201-6: Compliance Certification

STATE ONLY ENFORCEABLE CONDITIONS
Facility Level

80 ECL 19-0301: Contaminant List
81 6NYCRR 201-1.4: Unavoidable noncompliance and violations
2-93 6NYCRR 201-5: Compliance Demonstration
82 6NYCRR 211.2: Air pollution prohibited
2-79 6NYCRR 237-1.4(a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
83 6NYCRR 237-1.4(a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
2-80 6NYCRR 237-1.6(a): General condition (specifying 12 month submital)
84 6NYCRR 237-1.6(a): Permit Requirements
2-82 6NYCRR 237-1.6(a): Permit requirments to be included in new permits or units.
2-83 6NYCRR 237-1.6(c): Compliance Demonstration
85 6NYCRR 237-1.6(c): Compliance Demonstration
86 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
2-86 6NYCRR 237-1.6(f): Liability- facility and units with common stacks
87 6NYCRR 237-1.6(f): Liability- facility no common stacks
88 6NYCRR 237-1.6(g): Effect on other Authorities
89 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative
2-88 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.
2-89 6NYCRR 237-3.2: Submission of NOx budget permit application
90 6NYCRR 237-4.1: Compliance Demonstration
2-91 6NYCRR 237-4.1: Compliance Demonstration
91 6NYCRR 237-7.1: Submission of NOx allowance transfers
92 6NYCRR 237-8: Compliance Demonstration
2-95 6NYCRR 237-8: Compliance Demonstration
2-81 6NYCRR 238-1.6(a): Permit requirments to be included in new permits or units only
2-84 6NYCRR 238-1.6(c): Compliance Demonstration
2-85 6NYCRR 238-1.6(e): Compliance Demonstration
93 6NYCRR 238-1.6(f): Liability
2-87 6NYCRR 238-1.6(g): Effect on Other Authorities
95 6NYCRR 238-2.1: Submissions to the Department
2-90 6NYCRR 238-3.2: Submission of SO2 budget permit applications
2-92 6NYCRR 238-4.1: Compliance Demonstration
96 6NYCRR 238-7.1: Submission of SO2 allowance transfers
2-94 6NYCRR 238-8: Monitoring and Reporting requirments

Emission Unit Level

EU=U-00002

97 6NYCRR 238-1.4: Applicability
98 6NYCRR 238-1.6(a): Permit Requirments
99 6NYCRR 238-1.6(c): Compliance Demonstration
100 6NYCRR 238-1.6(e): Compliance Demonstration
101 6NYCRR 238-4.1: Compliance Demonstration
102 6NYCRR 238-8: Compliance Demonstration

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

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

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

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

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

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

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

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

Item B: Public Access to Recordkeeping for Title V Facilities - 6NYCRR Part 201-1.10(b)
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6NYCRR Part 616 -

Public Access to records and Section 114(c) of the Act.

Item C: **Timely Application for the Renewal of Title V Permits - 6 NYCRR Part 201-6.3(a)(4)**
Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

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

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

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

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

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

This permit does not convey any property rights of any

sort or any exclusive privilege.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Item L: **Permit Exclusion - ECL 19-0305**

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to

the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

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 2-3: **Acceptable Ambient Air Quality**
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 200.6

Item 2-3.1:
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 2-1: **Fees**
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-1.1:
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 2: **Recordkeeping and reporting of compliance monitoring**

Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 2.1:
The following information must be included in any required compliance monitoring records and reports:

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii)The company or entity that performed the analyses;

(iv) The analytical techniques or methods used including quality assurance and quality control procedures if required;

(v) The results of such analyses including quality assurance data where required; and

(vi) The operating conditions as existing at the time of sampling or measurement.

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

Condition 3: Monitoring, Related Recordkeeping, and Reporting Requirements.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 3.1:
Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 4: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 4.1:
The Compliance Certification activity will be performed for the Facility.

Item 4.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

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

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

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

If above paragraphs (1) or (2) are met, the source must

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

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

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

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

All semiannual reports shall be submitted to the Administrator (or his or her representative) as well as two copies to the Department (one copy to the regional air pollution control engineer (RAPCE) in the regional office and one copy to the Bureau of Quality Assurance (BQA) in the DEC central office). Mailing addresses for the above

referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 6 calendar month(s).

Condition 5: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

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

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

Item 5.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

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

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

The address for the RAPCE is as follows:

NYSDEC
SUNY Campus
Building 40
Stony Brook, NY 11790-2356

The address for the BQA is as follows:

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

Monitoring Frequency: ANNUALLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due on the same day each year

Condition 6: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 202-2.1

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

Item 6.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
Emission statements shall be submitted on or before April 15th each year for emissions of the previous calendar year.

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

Condition 7: Recordkeeping requirements
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 202-2.5

Item 7.1:
(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 2-2: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 215

Item 2-2.1:
No person shall burn, cause, suffer, allow or permit the burning in an open fire of garbage, refuse, rubbish for salvage, or rubbish generated by industrial or commercial activities.

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

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

Condition 2-14: Maintenance of Equipment
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 200.7

Item 2-14.1:
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 2-5: Recycling and Salvage
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-1.7

Item 2-5.1:
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 2-6: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-1.8

Item 2-6.1:
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 2-7: Exempt Sources - Proof of Eligibility
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-7.1:
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 2-8: Trivial Sources - Proof of Eligibility
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-8.1:
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 2-9: Standard Requirement - Provide Information
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-9.1:
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 2-10: General Condition - Right to Inspect
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-10.1:
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 2-11: Standard Requirements - Progress Reports
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-11.1:
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 2-12: Off Permit Changes
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-12.1:
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 2-4: Required Emissions Tests
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 202-1.1

Item 2-4.1:
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 2-13: Visible Emissions Limited
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 211.3

Item 2-13.1:
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 42: Accidental release provisions.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 68

Item 42.1:
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 44: Recycling and Emissions Reduction
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 82, Subpart F

Item 44.1:
The permittee shall comply with all applicable provisions of 40 CFR Part 82.

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

Condition 1: Emission Unit Definition
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 1.1(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00001
Emission Unit Description:
Two identical GE Model LM2500 gas turbines and associated Heat Recovery Steam Generator(HRSG) with duct burners. The gas turbines may fire natural gas, distillate oil, or mixed fuel (gas/oil). Each HRSG on each gas turbine includes a duct burner for supplemental firing on natural gas only. The turbines may operate with or without the duct burners. Each turbine/hrsg combustion unit has a maximum heat input of 416 mmbtu/hr. The total heat input for the emission unit is 832 mmbtu/hr. There are two emission points for this emission unit consisting of one stack for each combustion turbine/hrsg combustion unit.

Building(s): 1

Item 1.2(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00002
Emission Unit Description:
Calpine Bethpage Inc. installed a GE LM6000 sprint combustion turbine, 3rd Turbine, at the existing cogeneration facility owned by TBG Cogen Partners. The GE LM6000 combustion turbine is fired exclusively with natural gas and has a nominal net electrical power output of less than 50 mw. The combustion turbine employs selective catalytic reduction for NOx control and an oxidation catalyst system for CO control.

Building(s): CT

Item 1.3(From Mod 2):
The facility is authorized to perform regulated processes under this permit for:
Emission Unit: U-00003

Emission Unit Description:
This emission unit will consist of a GE LM6000 SPRINTcombustion turbine, a once through steam generator equipped with duct burners, and a 2 cell cooling tower. The combustion turbine and the duct burners will operate exclusively on natural gas.

Building(s): CTG3

Condition 2-22: Permit requirements (To be included only in new permits or units).
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-1.6

Replaces Condition(s) 8

Item 2-22.1: The NOx authorized account representative of each NOx budget unit shall submit to the Department a complete NOx Budget permit application (as defined under Section 204-3.3) no later than 12 months before the date on which the NOx Budget unit commences operation.

Condition 2-28: Authorized Account Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-2

Item 2-28.1:
(1) Except where an alternate NOx authorized account representative has been appointed as provided under 6 NYCRR 204-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

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

Condition 9: Submissions to the Department.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-2.1

Item 9.1: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 2-33: Submissions to the Department
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-2.1(e)

Item 2-33.1:

Item 2-33.2: Each submission under the NOx Budget Trading Program shall be submitted, signed and certified by the NOx authorized account representative for each NOx Budget source on behalf of which the submission is made. Each submission shall include a certification statement (as stated in paragraph 204-2.4(a)(4)) by the NOx authorized account representative.

Condition 10: Contents of reports and compliance certifications.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 10.1: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx Budget unit; and

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

(i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
(ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
(iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
(iv) Whether the facts that form the basis for certification under Subpart 204-8 of each

monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
(v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Condition 2-36: Contents of reports and compliance certifications.
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 2-36.1: The NOx authorized account representative shall include in the compliance certification report the following elements, in a format prescribed by the Administrator, concerning each unit at the source and subject to the NOx Budget emissions limitation for the control period covered by the report:

(1) Identification of each NOx Budget unit; and

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

(i) Whether the unit was operated in compliance with the NOx Budget emissions limitation;
(ii) Whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute NOx emissions to the unit, in accordance with Subpart 204-8;
(iii) Whether all the NOx emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 204-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions has been made;
(iv) Whether the facts that form the basis for certification under Subpart 204-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 204-8, if any, has changed; and
(v) If a change is required to be reported under item (iv) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

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

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

Condition 11: Discretionary report contents.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 11.1: At the NOx authorized account representative's option the following may be included in the compliance certification report:

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

Condition 12: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 12.1:
The Compliance Certification activity will be performed for the Facility.

Item 12.2:
Compliance Certification shall include the following monitoring:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-37: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-4.1

Item 2-37.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-37.2:
Compliance Certification shall include the following monitoring:

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 13: Submission of NOx allowance transfers.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-7.1

Item 13.1: The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the Administrator. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the Administrator:

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

Condition 14: General provisions.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 14.1: The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 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 replaced by the terms "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

Condition 15: Prohibitions.

Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 15.1: No owner or operator of a NOx Budget unit or a non-NOx Budget unit monitored under 40 CFR 75.72(b)(2)(ii) shall:

(1) use any alternative monitoring system, alternative reference method, or any other alternative for the required continuous emission monitoring system without having obtained prior written approval in accordance with Section 204-8.6;
(2) operate the unit so as to discharge, or allow to be discharged, NOx emissions to the atmosphere without accounting for all such emissions in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74;
(3) disrupt the continuous emission monitoring system, any portion thereof, or any other approved emission monitoring method, and thereby avoid monitoring and recording NOx mass emissions discharged into the atmosphere, except for periods of recertification or periods when calibration, quality assurance testing, or maintenance is performed in accordance with the applicable provisions of this Subpart and 40 CFR Part 75 except as provided for in 40 CFR 75.74; and
(4) permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved emission monitoring system under this Subpart, except under any one of the following circumstances:

(i) The owner or operator is monitoring emissions from the unit with another certified monitoring system approved, in accordance with the applicable provisions of this Subpart and 40 CFR Part 75, by the Department for use at that unit that provides emission data for the same pollutant or parameter as the discontinued monitoring system; or
(ii) The NOx authorized account representative submits notification of the date of certification testing of a replacement monitoring system in accordance with Paragraph 204-8.2(b)(2).

Condition 2-44: Reference to 40CFR and list of requirements.
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 2-44.1: The owners and operators, and to the extent applicable, the NOx authorized account representative of a NOx Budget unit, shall comply with the monitoring and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in Section 204-1.2 and in 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 replaced by the terms "NOx Budget unit," "NOx authorized account representative," and "continuous emission monitoring system" (or "CEMS"), respectively, as defined in Section 204-1.2.

The owner or operator of each NOx Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NOx Budget opt-in permit is submitted and not denied or withdrawn, as provided in Subpart 204-9:

(1) Install all monitoring systems required under this Subpart for monitoring NOx mass.

This includes all systems required to monitor NOx emission rate, NOx concentration, heat input, and 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 16: Requirements for installation, certification, and data accounting.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.1

Item 16.1: 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 17: Requirements for recertification of monitoring systems.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2

Item 17.1: 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 change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 2-45: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2

Item 2-45.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-45.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a NOx Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NOx mass, heat input (if required for purposes of allocations) and any other values required to determine NOx Mass (e.g. NOx emission rate and heat input or NOx concentration and stack flow) using the provisions of 40 CFR 75.70(g), from the date and hour that the unit starts operating until all required certification tests are successfully completed.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 18: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2

Item 18.1:
The Compliance Certification activity will be performed for the Facility.

Item 18.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owner or operator of a NOx Budget unit under paragraphs (b)(2) or (b)(3) of this section must determine, record and report NOx mass, heat input (if required for purposes of allocations) and any other values required to determine NOx Mass (e.g. NOx emission rate and heat input or NOx concentration and stack flow) using the provisions of 40 CFR 75.70(g), from the date and hour that the unit starts operating until all required certification tests are successfully completed.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-46: Requirements for recertification of monitoring systems
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.2(b)(2)

Item 2-46.1:
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 change to the flue gas handling system or the unit's operation that the Administrator or the Department determines to significantly change the flow or concentration profile, the owner or operator shall recertify the continuous emissions monitoring system according to 40 CFR 75.20(b). Examples of changes which require recertification include: replacement of the analyzer, change in location or orientation of the sampling probe or site, or changing of flow rate monitor polynomial coefficients.

Condition 19: Out of control periods.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.3

Item 19.1: Whenever any monitoring system fails to meet the quality assurance requirements of Appendix B of 40 CFR Part 75, data shall be substituted using the applicable procedures in Subpart D, Appendix D, or Appendix E of 40 CFR Part 75.

Condition 20: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.4

Item 20.1:
The Compliance Certification activity will be performed for the Facility.

Item 20.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

All monitoring plans or monitoring plan modifications; compliance certifications, recertifications and quarterly QA/QC reports; and, petitions for alternative monitoring, shall be submitted to the USEPA Administrator (or his/her representatives) as well as two copies to the Department (

one copy to the Regional Air Pollution Control Engineer (RAPCES) in the regional office and one copy to the Bureau of Compliance Monitoring and Enforcement (BCME) in the DEC central office. All Authorized Account Representative changes shall be sent to the NYSDEC central office.

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

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division
1200 Pennsylvania Avenue
Washington D.C. 20460

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

The address for the BCME is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

NYS SUNY
Building 40
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-47: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.4

Item 2-47.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-47.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

The address for the USEPA Administrator is as follows:

USEPA Clean Air Markets Division
1200 Pennsylvania Avenue, NW
Mail Code 6204J
Washington D.C. 20460

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

The address for the BQA is as follows:

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

AAR changes should be sent to the attention of:

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

The address for the RAPCE is as follows:

NYSDEC Region 1
SUNY @ Stony Brook
50 Circle Road
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-48: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.5

Item 2-48.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

The NOx authorized account representative shall submit each quarterly report to the department and 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 subpart H of 40 CFR part 75 and 40 CFR 75.64.

- For units subject to an Acid Rain Emissions limitation, quarterly reports shall include all of the data and information required in subpart H of 40 CFR part 75 for each NOx budget unit (or group of units using a common stack) as well as information required in subpart G of 40 CFR part 75.

- For units not subject to an acid rain emissions limitation, quarterly reports are only required to include all of the data and information required in subpart H of 40 CFR part 75 for each NOx budget unit (or group of units using a common stack).

Compliance certification

The NOx authorized account representative shall submit to the department and the administrator 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 NOx emission controls and for all hours where 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 monitoring plan and the substitute values do not systematically underestimate NOx emissions; and

(iii) for a unit that is reporting on a control period basis under this subdivision the NOx emission rate and NOx 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 NOx emissions.

The NOx authorized account representative shall comply with all recordkeeping and reporting requirements in this section and with the requirements of section 204-2.1(e) of 6 NYCRR Part 204.

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-51: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.7

Item 2-51.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-51.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

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

Monitoring Frequency: CONTINUOUS
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 21: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 204-8.7

Item 21.1:
The Compliance Certification activity will be performed for the Facility.

Item 21.2:
Compliance Certification shall include the following monitoring:

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

Monitoring Frequency: HOURLY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 2-20: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 225-1.2

Item 2-20.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-20.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:
THE SULFUR CONTENT OF FUEL OIL USED AT THIS FACILITY SHALL NOT CONTAIN MORE THAN 0.37% SULFUR BY WEIGHT. THE SULFUR CONTENT IS SAMPLED AND ANALYZED IN ACCORDANCE WITH PROCEDURES, METHODS, AND FREQUENCIES ESTABLISHED IN 40 CFR 60.334(B) AND 40 CFR 60.335.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 0.37 percent by weight
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 22: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 225-1.2

Item 22.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 22.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
THE SULFUR CONTENT OF FUEL OIL USED AT THIS FACILITY SHALL NOT CONTAIN MORE THAN 0.37% SULFUR BY WEIGHT. THE SULFUR CONTENT IS SAMPLED AND ANALYZED IN ACCORDANCE WITH PROCEDURES, METHODS, AND FREQUENCIES ESTABLISHED IN 40 CFR 60.334(B) AND 40 CFR 60.335.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.37 percent by weight
Reference Test Method: ASTM D-4294
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 23: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 225-1.2(c)

Item 23.1:
The Compliance Certification activity will be performed for the Facility.

Item 23.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
OWNER OR OPERATOR SHALL NOT SELL, OFFER FOR SALE, PURCHASE OR USE DISTILLATE FUEL OIL WHICH CONTAINS SULFUR IN A QUANTITY EXCEEDING THE SIP (PART 225-1 TABLE 1) LIMITATION. THIS SIP LIMITATION IS 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 NYSDEC.

Work Practice Type: PARAMETER OF PROCESS MATERIAL
Process Material: DISTILLATES - NUMBER 1 AND NUMBER 2 OIL
Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: .37 percent by volume
Monitoring Frequency: PER BATCH OF PRODUCT/RAW MATERIAL CHANGE
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME (INSTANTANEOUS/DISCRETE OR GRAB)
Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 2-21: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-21.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-21.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
No person shall operate a stationary combustion installation which exhibits greater than 20 percent opacity (six minute average), except for one-six-minute period per hour of not more than 27 percent opacity.
The Department reserves the right to perform or require the performance of a Method 9 opacity evaluation at any time during facility operation.
The permittee will conduct daily observations of visible emissions from each emission unit whenever fuel oil is used. The permittee will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard.
The permittee shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the standard continue, the permittee will conduct a Method 9 assessment within the next operating day of the sources associated with the potential noncompliance to determine the degree of opacity and will notify the NYSDEC if the method 9 test indicates that the opacity standard is not met.
Records of visible emissions observations (or any follow-up method 9 tests), investigations and corrective actions will be kept on-site. Should the Department determine that permittee's record keeping format is inadequate to demonstrate compliance with this condition, it shall provide written notice to the permittee stating the inadequacies, and permittee shall have 90 days to revise its prospective record keeping format in a manner acceptable to the Department.

Parameter Monitored: OPACITY
Upper Permit Limit: 20 percent
Reference Test Method: 40CFR Method 9
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-35: Emission Reduction Credits
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 231-2.4

Item 2-35.1:
To satisfy the emission offset requirements of Part 232, the facility has obtained 34.62 tpy of NOx Emission Reduction Credits (ERC's) from the following source:

Facility Name	DEC ID#	ERC's (TPY)
Morgan Stanley	2-6301-00006	25
Stony Brook Faciliy	1-4722-02441	9.62

Condition 2-23: Permit Requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-23.1:
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.

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

Condition 2-24: Monitoring requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-24.1:
The emissions measurements recorded and reported in accordance with Subpart 243-8 shall be used to determine compliance by each CAIR NOx Ozone Season source with the CAIR NOx Ozone Season emissions limitation under subdivision (c) of this section.

Condition 2-25: NOx Ozone Season Emission Requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-25.1:
As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NOx Ozone Season allowances available for compliance deductions for the control period under section 243-6.5(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NOx Ozone Season units at the source, as determined in accordance with Subpart 243-8. The CAIR NOx ozone season is the period beginning May 1 of a calendar year, except as provided in section 243-1.6(c)(2), and ending on September 30 of the same year, inclusive.

A CAIR NOx Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of this section for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under sections 243-8.1(b)(1), (2), (3), or (7) and for each control period thereafter.

A CAIR NOx Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of this section, for a control period in a calendar year before the year for which the CAIR NOx Ozone Season allowance was allocated.

CAIR NOx Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NOx Ozone Season Allowance Tracking System accounts in accordance with Subparts 243-6, 243-7, and 243-9.

A CAIR NOx Ozone Season allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NOx Ozone Season Trading Program. No provision of the CAIR NOx Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under section 243-1.5 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

A CAIR NOx Ozone Season allowance does not constitute a property right.

Upon recordation by the Administrator under Subpart 243-6, 243-7, or 243-9, every allocation, transfer, or deduction of a CAIR NOx Ozone Season allowance to or from a CAIR NOx Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

Condition 2-26: Excess emission requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-26.1:
If a CAIR NOx Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NOx Ozone Season emissions limitation, then:

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

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

Condition 2-27: Recordkeeping and reporting requirements
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-27.1:
Unless otherwise provided, the owners and operators of the CAIR NOx Ozone Season source and each CAIR NOx Ozone Season unit at the source shall keep on site at the source each of the following documents for a period of five years from the date the document is created. This period may be extended for cause, at any time before the end of five years, in writing by the department or the Administrator.

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

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

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

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

Condition 2-32: Authorization and responsibilities of CAIR designated representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-2.1

Item 2-32.1:
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 2-34: Certificate of representation
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-2.4

Item 2-34.1:
Unless otherwise required by the department or the Administrator, documents of agreement referred to in the certificate of representation shall not be submitted to the department or the Administrator. Neither the department nor the Administrator shall be under any obligation to review or evaluate the sufficiency of such documents, if submitted.

Condition 2-42: General requirements
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-8.1

Item 2-42.1:
The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR NOx Ozone Season unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this Subpart and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 243-1.2 and in 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 NOx Ozone Season unit," "CAIR designated representative," and "continuous emission monitoring system" (or "CEMS") respectively, as defined in section 243-1.2. The owner or operator of a unit that is not a CAIR NOx Ozone Season unit but that is monitored under 40 CFR 75.72(b)(2)(ii) shall comply with the same monitoring, recordkeeping, and reporting requirements as a CAIR NOx Ozone Season unit.

'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR NOx Ozone Season unit shall:

(1) install all monitoring systems required under this Subpart for monitoring NOx mass emissions and individual unit heat input (including all systems required to monitor NOx emission rate, NOx concentration, stack gas moisture content, stack gas flow rate, CO2 or O2 concentration, and fuel flow rate, as applicable, in accordance with 40 CFR 75.71 and 40 CFR 75.72);

(2) successfully complete all certification tests required under section 243-8.2 and meet all other requirements of this Subpart and 40 CFR Part 75 applicable to the monitoring systems under paragraph (a)(1) of this section; and

(3) record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section.

Condition 2-43: Prohibitions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 243-8.1

Item 2-43.1:
No owner or operator of a CAIR NOx Ozone Season unit shall use any alternative monitoring system, alternative reference method, or any other alternative to any requirement of this Subpart without having obtained prior written approval in accordance with section 243-8.6.

No owner or operator of a CAIR NOx Ozone Season unit shall 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.

No owner or operator of a CAIR NOx Ozone Season unit shall 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 or heat input, 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.

No owner or operator of a CAIR NOx Ozone Season unit shall retire or permanently discontinue use of the continuous emission monitoring system, any component thereof, or any other approved monitoring system under this Subpart, except under any one of the following circumstances:
(i) during the period that the unit is covered by an exemption under section 243-1.5 that is in effect;
(ii) 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 retired or discontinued monitoring system; or
(iii) the CAIR designated representative submits notification of the date of certification testing of a replacement monitoring system for the retired or discontinued monitoring system in accordance with section 243-8.2(d)(3)(i).

Condition 2-49: Quarterly reports
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-49.1:
The CAIR designated representative shall submit quarterly reports, as follows:

If the CAIR NOx Ozone Season unit is subject to an Acid Rain emissions limitation or a CAIR NOx emissions limitation or if the owner or operator of such unit chooses to report on an annual basis under this Subpart, the CAIR designated representative shall meet the requirements of Subpart H of 40 CFR Part 75 (concerning monitoring of NOx mass emissions) for such unit for the entire year and shall report the NOx mass emissions data and heat input data for such unit, in an electronic quarterly report in a format prescribed by the Administrator, for each calendar quarter beginning with:

(i) for a unit that commences commercial operation before July 1, 2007, the calendar quarter covering May 1, 2008 through June 30, 2008;

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

The CAIR designated representative shall submit each quarterly report to the

Administrator within 30 days following the end of the calendar quarter covered by the report. Quarterly reports shall be submitted in the manner specified in 40 CFR 75.73(f).

For CAIR NOx Ozone Season units that are also subject to an Acid Rain emissions limitation or the CAIR NOx 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 NOx mass emission data, heat input data, and other information required by this Subpart.

Condition 2-50: Compliance certification
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-50.1:
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 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; and

(3) for a unit that is reporting on a control period basis under subparagraph (d)(2)(ii) of this section, the NOx emission rate and NOx 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 NOx emissions.

Condition 2-17: CAIR General and Permit Requirments
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-1

Item 2-17.1:

(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 previuos 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 2-18: CAIR NOx Annual Trading Program General Conditions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-1

Item 2-18.1:
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) 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. A CAIR NOx allowance shall not be deducted for a control

period in a calendar year before the year for which the CAIR NOx 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 NOx allowances available for compliance deductions for the control period starting on the later of January 1, 2009 or the deadline for meeting a CAIR NOx 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 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: [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 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.

Condition 2-29: Designated CAIR Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-2

Item 2-29.1:
(1) Each CAIR NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent

and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source.

(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."

Condition 2-30: Designated CAIR Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-2

Item 2-30.1:
1) Each Clean Air Interstate Rule (CAIR) NOx source shall have one CAIR designated representative and may have one alternate representative, as per 6NYCRR Part 244-2.2, with regard to all matters under the CAIR NOx Annual Trading Program. The CAIR designated representative shall be selected by an agreement binding on the owners and operators of the source and act in accordance with the certification statement in 6NYCRR Part 244-2.4(a)(4)(iv). Upon receipt by the Administrator of a complete certificate of representation under 6NYCRR Part 244-2.4, the CAIR designated representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the CAIR NOx source represented in all matters pertaining to the CAIR NOx Annual Trading Program, notwithstanding any agreement between the CAIR designated representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the CAIR designated representative by the department, the Administrator, or a court regarding the source. [244-2.1(a), (b) & (c)]

(2) Each submission under the CAIR NOx Annual Trading Program shall be submitted, signed, and certified by the CAIR designated representative for each CAIR NOx source on behalf of which the submission is made. Each such submission shall include the following certification statement by the CAIR designated representative: "I am authorized to make this submission on behalf of the owners and operators of the source or units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my

knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment." [244-2.1(e)]

Condition 2-40: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-8

Item 2-40.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-40.2:
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 NOx mass emissions or heat input rate or to meet the quality-assurance and quality-control requirements of 40 CFR 75.21 or appendix B to 40 CFR Part 75, the owner or operator shall recertify the monitoring system in accordance with 40 CFR 75.20(b) . Furthermore, whenever the owner or operator makes a replacement, modification, or change to the flue gas handling system or the unit's operation that may significantly change the stack flow or concentration profile, the owner or operator shall recertify each

continuous emission monitoring system whose accuracy is potentially affected by the change, in accordance with 40 CFR 75.20(b). Examples of changes to a continuous emission monitoring system that require recertification include replacement of the analyzer, complete replacement of an existing continuous emission monitoring system, or change in location or orientation of the sampling probe or site. Any fuel flowmeter system, and any excepted NOx monitoring system under appendix E to 40 CFR part 75, under 6NYCRR Part 244-8.1(a)(1) are subject to the recertification requirements in 40 CFR 75.20(g)(6). [224-8.2(d)(2)

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-41: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 244-8

Item 2-41.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-41.2:
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 Clean Air Interstate Rule (CAIR) designated representative, of a CAIR NOx unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in Subpart 6 NYCRR Part 244-8 and in Subpart H of 40 CFR Part 75. For purposes of complying with such requirements, the definitions in section 244-1.2 and in 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 NOx unit," "CAIR designated representative," and "continuous emission

monitoring system" (or "CEMS") respectively, as defined in section 244-1.2. [244-8.1]

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

3) 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)]

4) The owners and operators, and to the extent applicable, the CAIR designated representative shall comply with all recordkeeping and reporting requirements in section 244-8.5, the applicable recordkeeping and reporting requirements under 40 CFR 75, and the requirements of 6NYCRR Part 244-2.1(e)(1).
[244-8.5(a)]

5) The owner or operator of a CAIR NOx unit shall comply with requirements of 40 CFR 75.73(c) and (e) for monitoring plans. [244-8.5(b)]

6) The CAIR designated representative shall submit a certification application to the department within 45 days

after completing all initial certification or recertification tests required under section 244-8.2, including the information required under 40 CFR 75.63. [244-8.5(c)]

7) The CAIR designated representative shall submit quarterly reports of 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 covering January 1, 2008 through March 31, 2008; unless the unit commences commercial operation on or after July 1, 2007, then quarterly reporting commences with the calendar quarter corresponding to the earlier of the date of provisional certification or the applicable deadline for initial certification under section 244-8.1(b). [244-8.5(d)(1)]

8) 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). [244-8.5(d)(2)]

9) 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 Subpart 244-8. [244-8.5(d)(3)]

10) 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: [244-8.5(e)]

(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.

Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL TOTAL
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-16: CAIR General and Permit Requirments
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-1

Item 2-16.1:
(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 2-19: CAIR SO2 Trading Program General Provisions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-1

Item 2-19.1:
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 2-31: Designated CAIR Representative
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-2

Item 2-31.1:
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 2-38: Monitoring and Reporting SO2 Emissions
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-8

Item 2-38.1:
(1)The owners and operators, and to the extent applicable, the CAIR designated representative, of a CAIR SO2 unit, shall comply with the monitoring, recordkeeping, and reporting requirements as provided in this section 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) 'Requirements for installation, certification, and data accounting.' The owner or operator of each CAIR SO2 unit shall:

(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. (245-8.1(a))

(3) 'Compliance deadlines.' The owner or operator shall meet the monitoring system certification and other requirements of paragraphs (a)(1) and (2) of this section on or before the following dates. The owner or operator shall record, report, and quality-assure the data from the monitoring systems under paragraph (a)(1) of this section on and after the following dates.

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

(ii) For the owner or operator of a 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. (245-8.1(b))

(4) 'Reporting data.' The owner or operator of a CAIR SO2 unit that does not meet the applicable compliance date set forth in this section for any monitoring system under paragraph 2 of this section shall, for each such monitoring system, determine, record, and report maximum potential (or, as appropriate, minimum potential) values for SO2 concentration, stack gas flow rate, stack gas moisture content, fuel flow rate, and any other parameters required to determine SO2 mass emissions and heat input in accordance with 40 CFR 75.31(b)(2) or (c)(3) or 40 CFR Part 75, appendix D, section 2.4, as applicable. (245-8.1(c))

Condition 2-39: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 245-8

Item 2-39.1:
The Compliance Certification activity will be performed for the Facility.

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

Item 2-39.2:
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 NOX Annual Trading Program, CAIR NOX 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-15: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-15.1:
The Compliance Certification activity will be performed for the Facility.

Item 2-15.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
FUEL OIL CONSUMPTION IS LIMITED TO A ROLLING ANNUAL AVERAGE OF 11.1 MILLION GALLONS PER YEAR.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 11100000.0 gallons per year
Reference Test Method: NA
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 24: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 24.1:
The Compliance Certification activity will be performed for the Facility.

Item 24.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS
Monitoring Description:
FUEL OIL CONSUMPTION IS LIMITED TO A ROLLING ANNUAL AVERAGE OF 11.1 MILLION GALLONS PER YEAR.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 11100000.0 gallons per year
Reference Test Method: NA
Monitoring Frequency: MONTHLY
Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 25: EPA Region 2 address.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.4, NSPS Subpart A

Item 25.1:
All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the following address:

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

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

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

Condition 26: Date of construction notification.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 26.1:
Any owner or operator subject to this part shall furnish the Administrator with the following information:

1) a notification of the date construction or reconstruction commenced, postmarked no later than 30 days after such date;

3) a notification of the actual date of initial start up, postmarked within 15 days after such date;

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

5) a notification of the date upon which the demonstration of continuous monitoring

system performance commences, postmarked not less than 30 days prior to such date;

6) a notification of the anticipated date for conducting the opacity observations, postmarked not less than 30 days prior to such date; and

7) a notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during the performance test, postmarked not less than 30 days prior to the performance test.

Condition 27: Recordkeeping requirements.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 27.1:
Affected owners or operators shall maintain records of occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

Condition 28: Excess emissions report.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 28.1:
Affected owners or operators shall submit an excess emissions report and/or a summary report form (as defined in 40 CFR 60.7(d)) semi-annually (or more frequently as required by the applicable Subpart or the Administrator), to the Administrator. These reports shall be post marked no later than 30 days after each calendar quarter (or as appropriate), and shall contain the following information:

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

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

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

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

Condition 29: Excess emissions report.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 29.1:
A summary report form, for each pollutant monitored, shall be sent to the Administrator in the form prescribed in Figure 1 of 40 CFR Part 60.7(d).

Condition 30: Facility files for subject sources.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 30.1:
The following files shall be maintained at the facility for all affected sources: all measurements, including continuous monitoring systems, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations;all continuous monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part, recorded in permanent form suitable for inspections. The file shall be maintained for at least two years following the date of such measurements, reports, and records.

Condition 31: Performance testing timeline.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 31.1:
Within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup of the facility, the owner or operator of the facility shall conduct performance testing and provide the results of such tests, in a written report, to the Administrator.

Condition 32: Performance test methods.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 32.1:
Performance testing shall be conducted in accordance with the methods and procedures prescribed in 40 CFR 60 or by alternative methods and procedures approved by the Administrator.

Condition 33: Required performance test information.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 33.1:
Performance tests shall be conducted under such conditions specified by the Administrator,

based upon representative performance data supplied by the owner or operator of the facility.

Condition 34: Prior notice.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 34.1:
The owner or operator shall provide the Administrator with prior notice of any performance test at least 30 days in advance of testing.

Condition 35: Performance testing facilities.
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 35.1:
The following performance testing facilities shall be provided during all tests:

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

2) a safe sampling platform;

3) a safe access to the sampling platform; and

4) utilities for sampling and testing equipment.

Condition 36: Availability of information.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.9, NSPS Subpart A

Item 36.1:
The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by 40 CFR Part 2.

Condition 37: Opacity standard compliance testing.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.11, NSPS Subpart A

Item 37.1:
The following conditions shall be used to determine compliance with the opacity standards:

1) observations shall be conducted in accordance with Reference Method 9, in Appendix A of 40 CFR Part 60(or an equivalent method approved by the Administrator including continuous opacity monitors);

2) the opacity standards apply at all times except during periods of start up, shutdown, and malfunction; and

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

Condition 38: Circumvention.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.12, NSPS Subpart A

Item 38.1:
No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

Condition 39: Monitoring requirements.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.13, NSPS Subpart A

Item 39.1:
All continuous monitoring systems and devices shall be installed, calibrated, maintained, and operated in accordance with the requirements of section 60.13.

Condition 40: Modifications.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.14, NSPS Subpart A

Item 40.1:
Within 180 days of the completion of any physical or operational change (as defined in section 60.14), compliance with the applicable standards must be achieved.

Condition 41: Reconstruction
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 60.15, NSPS Subpart A

Item 41.1:
The following shall be submitted to the Administrator prior to reconstruction (as defined in section 60.15):

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

2) name and address of the owner or operator;

3) the location of the existing facility;

4) a brief description of the existing facility and the components to be replaced;

5) a description of the existing air pollution control equipment and the proposed air pollution control equipment;

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

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

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

Condition 43: Facility Subject to Title IV Acid Rain Regulations and Permitting
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 72

Item 43.1: This facility is subject to the Title IV Acid Rain Regulations found in 40 CFR Parts 72, 73, 75, 76, 77 and 78. The Acid Rain Permit is an attachment to this permit.

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

Condition 45: Process Definition By Emission Unit
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 45.1(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: DBG Source Classification Code: 1-03-006-01
Process Description:
TWO DUCT BURNERS, ONE ON EACH HRSG, FIRING NATURAL GAS WITHOUT OPERATION OF THE TURBINES. THIS PROCESS IS PROVIDED TO IDENTIFY THE EMISSION LIMIT FOR THE DUCT BURNERS. THE DUCT BURNERS CANNOT OPERATE WITHOUT THE TURBINES.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Item 45.2(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: GTG Source Classification Code: 2-03-002-03
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING NATURAL GAS WITHOUT SUPPLEMENTAL FIRING OF THE DUCT BURNER. NOX EMISSIONS ARE CONTROLLED WITH STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.3(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: GTM Source Classification Code: 2-03-002-03
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING MIXED FUEL (NATURAL GAS AND DISTILLATE OIL) WITH OR WITHOUT SUPPLEMENTAL FIRING OF THE DUCT BURNER ON GAS. NOX IS CONTROLLED BY STEAM INJECTION AND CO IS CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.4(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: GTO Source Classification Code: 2-03-001-02
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING OIL WITHOUT SUPPLEMENTAL FIRING OF THE DUCT BURNER. NOX EMISSIONS ARE CONTROLLED WITH STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000GT - Combustion

Design Capacity: 254 million Btu per hour

Item 45.5(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: TGB Source Classification Code: 2-03-002-03
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING NATURAL GAS WITH SUPPLEMENTAL FIRING OF THE DUCT BURNER ON GAS. NOX EMISSIONS ARE CONTROLLED BY STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.6(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00001
Process: TOB Source Classification Code: 2-03-001-02
Process Description:
TWO IDENTICAL GE COMBUSTION TURBINES FIRING OIL WITH SUPPLEMENTAL FIRING OF THE DUCT BURNER ON GAS. NOX EMISSIONS ARE CONTROLLED BY STEAM INJECTION AND CO EMISSIONS ARE CONTROLLED WITH A CATALYTIC OXIDATION UNIT.

Emission Source/Control: 000DB - Combustion
Design Capacity: 162 million Btu per hour

Emission Source/Control: 000GT - Combustion
Design Capacity: 254 million Btu per hour

Item 45.7(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00002
Process: 003 Source Classification Code: 2-03-002-03
Process Description:
GE LM6000 COMBUSTION TURBINE FIRING EXCLUSIVELY NATURAL GAS.

Emission Source/Control: 00007 - Combustion
Design Capacity: 475 million Btu per hour

Emission Source/Control: 00009 - Control
Control Type: SELECTIVE CATALYTIC REDUCTION (SCR)

Item 45.8(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: GSH Source Classification Code: 1-05-001-06
Process Description:
This process consists of 8 350,000 Btu/hr heat input gas fired only space heaters.

Emission Source/Control: 8GFSH - Combustion
Design Capacity: 350,000 British thermal units per hour

Item 45.9(From Mod 2):
This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: U-00003
Process: OFB Source Classification Code: 1-02-005-03
Process Description:
This process consists of the operation of one 9.5 mmBtu/hr heat input distillate oil fired boiler.

Emission Source/Control: 1DOFB - Combustion
Design Capacity: 9.5 million BTUs per hour

Condition 47: Testing, monitoring, and reporting requirements for very large boilers.
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 227-2.6(a)(1)

Item 47.1:
This Condition applies to Emission Unit: U-00001

Item 47.2:
The owner/operator shall measure NOx emissions with a continuous emissions monitoring system (CEMS) as described in 6NYCRR 227-2.6(b).

Condition 48: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 48.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 48.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF CARBON MONOXIDE IS REQUIRED.

Manufacturer Name/Model Number: TECO MODEL 48
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.102 pounds per million Btus
Reference Test Method: 40 CFR 60 APP B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 49: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 49.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 49.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
THE CARBON MONOXIDE CONTROL EQUIPMENT SHALL BE USED WHENEVER THE TURBINES ARE BEING OPERATED. THE CO CATALYST IS INTEGRAL TO THE COMBUSTION UNIT AND BY DESIGN MUST OPERATE WHEN THE TURBINE/HRSG IS ON-LINE.

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 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 50: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 50.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 50.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE SULFUR DIOXIDE
EMISSION LIMIT IS DEMONSTRATED THROUGH
SULFUR MONITORING OF FUEL IN ACCORDANCE
WITH 40 CFR 60.334 AND 60.335.

Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 86.6 pounds per hour
Reference Test Method: ASTM D-4294
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2005.
Subsequent reports are due every 12 calendar month(s).

Condition 51: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 51.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 51.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 0.025 pounds per million Btus
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-52: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-52.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-52.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 7.6 pounds per hour
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 52: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 52.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 52.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 7.6 pounds per hour
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-53: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-53.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-53.2:
Compliance Certification shall include the following monitoring:

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

MONOXIDE IS REQUIRED.

Manufacturer Name/Model Number: Thermo Environmental Industries 48C
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.102 pounds per million Btus
Reference Test Method: 40 CFR 60 APP B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-54: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-54.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-54.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF CARBON MONOXIDE IS REQUIRED.

Manufacturer Name/Model Number: Thermo Environmental Industries 48C
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 0.102 pounds per million Btus
Reference Test Method: 40 CFR 60 APP B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-55: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-55.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Regulated Contaminant(s):
CAS No: 0NY998-00-0 VOC

Item 2-55.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE NON-METHANE HYDROCARBON EMISSION LIMIT WAS DEMONSTRATED USING MANUFACTURER'S SPECIFICATIONS DURING INITIAL PERMITTING OF THE PROJECT.

Parameter Monitored: VOC
Upper Permit Limit: 0.025 pounds per million Btus
Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-56: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-56.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-56.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE SULFUR DIOXIDE EMISSION LIMIT IS DEMONSTRATED THROUGH SULFUR MONITORING OF FUEL IN ACCORDANCE WITH 40 CFR 60.334 AND 60.335.

Parameter Monitored: SULFUR CONTENT
Upper Permit Limit: 86.6 pounds per hour

Reference Test Method: ASTM D-4294
Monitoring Frequency: CONTINUOUS
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-57: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-57.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-57.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
THE CARBON MONOXIDE CONTROL EQUIPMENT SHALL BE USED WHENEVER THE TURBINES ARE BEING OPERATED. THE CO CATALYST IS INTEGRAL TO THE COMBUSTION UNIT AND BY DESIGN MUST OPERATE WHEN THE TURBINE/HRSG IS ON-LINE.

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 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-58: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 60, NSPS Subpart Db

Item 2-58.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-58.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
TBG HAS DEVELOPED AND SUBMITTED TO NYSDEC AND USEPA FOR APPROVAL A CUSTOM NSPS MONITORING, RECORDKEEPING AND REPORTING PLAN PURSUANT TO 40 CFR 60.13i TO SIMULTANEOUSLY COMPLY WITH 40 CFR 60 SUBPARTS Db AND GG. USEPA APPROVED (10/28/02) CUSTOM NSPS MONITORING, RECORDKEEPING AND REPORTING PLAN.

Reference Test Method: NA
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-59: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 60.332, NSPS Subpart GG

Item 2-59.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001

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

Item 2-59.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
A NOx CEMS IS USED TO DEMONSTRATE COMPLIANCE WITH SUBPART GG IN ACCORDANCE WITH A CUSTOM NSPS MONITORING, RECORDKEEPING AND REPORTING PLAN.

Manufacturer Name/Model Number: Thermo Environmental Industries 42C
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 96.4 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 55: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 55.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: DBG Emission Source: 000DB

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

Item 55.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
THIS LIMIT APPLIES ONLY TO THE DUCT BURNER. COMPLIANCE WITH THIS LIMIT WAS DEMONSTRATED DURING THE INITIAL PERFORMANCE TEST. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 0.2 pounds per million Btus
Reference Test Method: 40CFR60 METHOD 7
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 56: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 56.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTG Emission Source: 000GT

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

Item 56.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 3.0 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 57: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 57.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTG Emission Source: 000GT

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

Item 57.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.014 pounds per million Btus
Reference Test Method: EPA METHOD 5

Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 58: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 58.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTG Emission Source: 000GT

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

Item 58.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS
REQUIRED TO DEMONSTRATE COMPLIANCE WITH
THE NOX EMISSION LIMITS ESTABLISHED IN
THE PSD PERMIT. THESE LIMITS ARE MORE
STRINGENT THAN THE NSPS LIMITS.
COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 42.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 59: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 59.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTM

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

Item 59.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
COMPLIANCE WITH THE NITROGEN OXIDE
EMISSION LIMIT IS DEMONSTRATED USING A
CONTINUOUS EMISSION MONITOR.

Manufacturer Name/Model Number: TECO MODEL 48
Upper Permit Limit: 60.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 60: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: GTM

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

Item 60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT FOR
OIL AND GAS ONLY OPERATION WAS
DEMONSTRATED AS PART OF INITIAL
PERMITTING. THIS PROPOSED OPERATION ON
MIXED FUEL WILL PRODUCE FEWER PARTICULATE
EMISSIONS THAN OIL ONLY OPERATION.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 10.0 pounds per hour
Reference Test Method: EPA METHOD 201/202A
Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 61: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 61.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTO Emission Source: 000GT

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

Item 61.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.031 pounds per million Btus
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 62: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 62.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTO Emission Source: 000GT

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

Item 62.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS REQUIRED TO DEMONSTRATE COMPLIANCE WITH THE NOX EMISSION LIMITS ESTABLISHED IN THE PSD PERMIT. THESE LIMITS ARE MORE STRINGENT THAN THE NSPS LIMITS. COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 65.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 63: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 63.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: GTO Emission Source: 000GT

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

Item 63.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO

NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 7.5 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 64: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TGB

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

Item 64.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.015 pounds per million Btus
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 65: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001

Process: TGB

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

Item 65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS
REQUIRED TO DEMONSTRATE COMPLIANCE WITH
THE NOX EMISSION LIMITS ESTABLISHED IN
THE PSD PERMIT. THESE LIMITS ARE MORE
STRINGENT THAN THE NSPS LIMITS.
COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 42.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 66: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TGB

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

Item 66.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS
DEMONSTRATED DURING THE INITIAL
COMPLIANCE TEST AND THROUGH
MANUFACTURER'S SPECIFICATIONS. THE

INITIAL TEST REPORT WAS SUBMITTED TO
NYSDEC FOLLOWING THE COMPLETION OF THE
PERFORMANCE TEST.

Upper Permit Limit: 5.5 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 67: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TOB

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

Item 67.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS
DEMONSTRATED DURING THE INITIAL
COMPLIANCE TEST AND THROUGH
MANUFACTURER'S SPECIFICATIONS. THE
INITIAL TEST REPORT WAS SUBMITTED TO
NYSDEC FOLLOWING THE COMPLETION OF THE
PERFORMANCE TEST.

Upper Permit Limit: 10.0 pounds per hour
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 68: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TOB

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

Item 68.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
COMPLIANCE WITH THE PM/PM10 LIMIT WAS DEMONSTRATED DURING THE INITIAL COMPLIANCE TEST AND THROUGH MANUFACTURER'S SPECIFICATIONS. THE INITIAL TEST REPORT WAS SUBMITTED TO NYSDEC FOLLOWING THE COMPLETION OF THE PERFORMANCE TEST.

Upper Permit Limit: 0.025 pounds per million Btus
Reference Test Method: EPA METHOD 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 69: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00001
Process: TOB Emission Source: 000GT

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

Item 69.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
CONTINUOUS EMISSION MONITORING OF NOX IS REQUIRED TO DEMONSTRATE COMPLIANCE WITH THE NOX EMISSION LIMITS ESTABLISHED IN THE PSD PERMIT. THESE LIMITS ARE MORE STRINGENT THAN THE NSPS LIMITS. COMPLIANCE REPORTING IS MADE TO NYSDEC.

Manufacturer Name/Model Number: TECO MODEL 14B/E
Upper Permit Limit: 65.0 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 60 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 1-2: Compliance Certification
Effective between the dates of 09/23/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Replaces Condition(s) 72

Item 1-2.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 1-2.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Oxides of Nitrogen, NOx, is demonstrated through the use of a NOx continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB-Entertec
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.5 parts per million by volume
(dry, corrected to 15% O2)
Reference Test Method: 40 CFR 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 2-62: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-62.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 2-62.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A shutdown shall be defined as the period of time when the stop signal is initiated to when the fuel is no longer being combusted in the engine, not to exceed 20 minutes per occurrence. the owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF SHUTDOWN
Upper Permit Limit: 20 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-63: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-63.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Carbon Monoxide,CO, limit is demonstrated using a continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB Entertec
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 5.0 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-64: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-64.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-64.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 5 pounds in 20 minutes shall apply only during periods of shut-down, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 5 pounds

Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-65: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-65.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-65.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and operate a continuous emissions monitor for ammonia slip, in accordance with the manufacturer's specifications. This limit shall apply during periods of start-up or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 7.4 pounds
Reference Test Method: 40 CFR 60 App. F
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-66: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-66.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-66.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Oxides of Nitrogen, NOx, is demonstrated through the use of a NOx continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB-Entertec
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.5 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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-67: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-67.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Item 2-67.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A start-up shall be defined as the period of time when the gas turbine begins firing fuel until the point when the control equipment operation has achieved a mass rate below 5.0 lb/hr and a concentration rate of 2.5 ppmvd (at 15% O2) for oxides of nitrogen. This period shall be limited to 30 minutes per occurrence. The owner or operator shall record each period of start-up and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF START UP
Upper Permit Limit: 30 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-68: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-68.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-68.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and operate a continuous emission monitor for ammonia slip, in accordance with manufacturer's specifications. This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: Method 027
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-69: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-69.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-69.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 15 pounds in 30 minutes shall apply only during periods of start-up, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 15 pounds
Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 70: Compliance Certification

Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

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

Item 70.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 5 pounds in 20 minutes shall apply only during periods of shut-down, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 5 pounds
Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 71: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

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

Item 71.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Oxides of Nitrogen, NOx, Continuous Emission Monitor is required. The limit of 15 pounds in 30 minutes shall apply only during periods of start-up, not to be exceeded per occurrence. Emissions in excess of this limit shall be reported quarterly through the facility excess emission report.

Manufacturer Name/Model Number: Rosemount/CLD
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 15 pounds
Reference Test Method: 40CFR75
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 73: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

Item 73.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A shutdown shall be defined as the period of time when the stop signal is initiated to when the fuel is no longer being combusted in the engine, not to exceed 20 minutes per occurrence. the owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF SHUTDOWN
Upper Permit Limit: 20 minutes
Monitoring Frequency: CONTINUOUS

Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 74: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 74.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and operate a continuous emission monitor for ammonia slip, in accordance with manufacturer's specifications. This limit shall apply at all times except during periods of start-up or shutdown. Emission in excess of this limit shall be reported quarterly through the facility excess emission report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: Method 027
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 76: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 76.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 76.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Compliance with the Carbon Monoxide,CO, limit is demonstrated using a continuous emission monitor. The facility shall determine compliance based on an hour average for this emission unit (EU 00002). All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: GE/KVB-Entertec
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 5.0 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 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 77: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

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

Emission Unit: U-00002

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 77.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The facility shall install, calibrate, maintain, and

operate a continuous emissions monitor for ammonia slip, in accordance with the manufacturer's specifications. This limit shall apply during periods of start-up or shutdown. Emissions in excess of this limit shall be reported quarterly through the facility's excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Thermo Electron/42C
Parameter Monitored: AMMONIA
Upper Permit Limit: 7.4 pounds
Reference Test Method: 40 CFR 60 App. F
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2004.
Subsequent reports are due every 3 calendar month(s).

Condition 2-61: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 231-2

Item 2-61.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-61.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
Continuous monitoring of the Oxides of Nitrogen, NOx, is required to demonstrate compliance with the NOx emission limit.

Manufacturer Name/Model Number: Thermo Environmental Industries 42C
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 18.9 tons per year
Reference Test Method: 40CFR60 App. B&F
Monitoring Frequency: CONTINUOUS
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.

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

Condition 2-60: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

Item 2-60.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00002

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

Item 2-60.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Compliance with the PM/PM-10 limit was demonstrated
during the initial compliance test and through
manufacturer's specifications.

Upper Permit Limit: 3.0 pounds per hour
Reference Test Method: EPA Method 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 79: Compliance Certification
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable Federal Requirement:40CFR 52.21, Subpart A

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

Emission Unit: U-00002

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

Item 79.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
Compliance with the PM/PM-10 limit was demonstrated
during the initial compliance test and through
manufacturer's specifications.

Upper Permit Limit: 3.0 pounds per hour
Reference Test Method: EPA Method 5
Monitoring Frequency: SINGLE OCCURRENCE
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-70: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-70.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-70.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating
in combined cycle with duct firing.

Manufacturer Name/Model Number: Rosemont analytical NGA CLD by Emerson.
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 6.60 pounds per hour
Reference Test Method: 40 CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-71: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-71.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-71.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when gas turbine is operating without duct firing

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 7.75 pounds per hour
Reference Test Method: 40 CFR Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-72: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-72.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-72.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This facility shall install, calibrate, maintain, and operate a continuous 40CFR Part 75 emissions monitor for measuring and recording Oxides of Nitrogen. The facility shall also install either a contuous monitor for Oxigen or Carbon Dioxide. All records shall be maintained at the facility for at least five years. The 2.5 ppmvd limit for natural gas firing shall be applicable at all times except during periods pf start-up or shautdown.

Manufacturer Name/Model Number: Rosemont analytical NGA CLD by Emerson.
Parameter Monitored: OXIDES OF NITROGEN
Upper Permit Limit: 2.5 parts per million by volume
(dry, corrected to 15% O2)

Reference Test Method: 40CFR Part 75
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-73: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-73.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-73.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
The owner or operator of this facilityshall install, calibrate, maintain, and operate a continuous emission monitor for ammonia slip. Records shall be maintained at the facility for a minimum of five years.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: AMMONIA
Upper Permit Limit: 10 parts per million by volume (dry, corrected to 15% O2)
Reference Test Method: 40 CFR Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-74: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-74.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

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

Item 2-74.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating with duct firing.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: CARBON MONOXIDE
Upper Permit Limit: 10.30 pounds per hour
Reference Test Method: 40 CFR Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-75: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-75.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-75.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating without the duct burner.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: AMMONIA
Upper Permit Limit: 6.33 pounds per hour
Reference Test Method: 40CFR 60 Part 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-76: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-76.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Regulated Contaminant(s):
CAS No: 007664-41-7 AMMONIA

Item 2-76.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)
Monitoring Description:
This limit shall apply when the gas turbine is operating with duct firing.

Manufacturer Name/Model Number: Rosemont Analytical MLT 2000 by Emerson
Parameter Monitored: AMMONIA
Upper Permit Limit: 9.70 pounds per hour
Reference Test Method: 40 CFR Prt 60
Monitoring Frequency: CONTINUOUS
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-77: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-77.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Item 2-77.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL

DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A start-up shall be defined as the period of time when the gas turbine begins firing fuel until the point when the control equipment operation has achieved a mass rate below 5.0 lb/hr and a concentration rate of 2.5 ppmvd (at 15% O2) for oxides of nitrogen. This period shall be limited to 30 minutes per occurrence. The owner or operator shall record each period of start-up and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF START UP
Upper Permit Limit: 30 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-78: Compliance Certification
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable Federal Requirement:6NYCRR 201-6

Item 2-78.1:
The Compliance Certification activity will be performed for:

Emission Unit: U-00003

Item 2-78.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE
Monitoring Description:
A shutdown shall be defined as the period of time when the stop signal is initiated to when the fuel is no longer being combusted in the engine, not to exceed 20 minutes per occurrence. the owner or operator shall record each period of shutdown and its duration. A report consisting of the recorded information shall be submitted to the Department quarterly with the facility's required excess emissions report. All records shall be maintained at the facility for a minimum of five years.

Parameter Monitored: DURATION OF SHUTDOWN
Upper Permit Limit: 20 minutes
Monitoring Frequency: CONTINUOUS
Averaging Method: MAXIMUM - NOT TO BE EXCEEDED PER OCCURRENCE
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
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 80: Contaminant List
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:ECL 19-0301

Item 80.1:
Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

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

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

CAS No: 007664-41-7
Name: AMMONIA

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

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

CAS No: 0NY998-00-0
Name: VOC

Condition 81: Unavoidable noncompliance and violations
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 201-1.4

Item 81.1:
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 2-93: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 201-5

Item 2-93.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-93.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

This facility was previously limited to combined cycle operation. The facility will be allowed to operate in simple cycle mode. The same emission limits and monitoring requirements apply during either mode of operation. The facility will maintain a log that records the hours of operation under both combined and simple cycle modes. These records must be kept for a minimum of five years. This log must be kept at the facility and available for inspection by the Department.

Monitoring Frequency: CONTINUOUS
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 82: Air pollution prohibited
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 211.2

Item 82.1:
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 2-79: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-79.1:
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 83: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 83.1:
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 2-80: General condition (specifying 12 month submital)
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-80.1: 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; twelve (12) months before the date on which the NOx Budget unit 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 84: Permit Requirements

Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 84.1:
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(b); 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 2-82: Permit requirments to be included in new permits or units.
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-82.1: 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(b); 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 2-83: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-83.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-83.2:
Compliance Demonstration shall include the following monitoring:

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

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

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

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

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

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

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

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

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 85: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 85.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 85.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

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

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

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

The owners and operators of a NOx budget unit that has

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 86: Recordkeeping and Reporting Requirements
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 86.1:
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.

Condition 2-86: Liability- facility and units with common stacks
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-86.1:
No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget source (including a provision applicable to the NOx authorized account representative of a NOx budget source) shall also apply to the owners and operators of such source and of the NOx budget units at the source.

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget unit (including a provision applicable to the NOx authorized account representative of a NOx budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under NYCRR 237-8, the owners and operators and the NOx authorized account representative of one NOx budget unit shall not be liable for any violation by any other NOx budget unit of which they are not owners or operators or the NOx authorized account representative and that is located at a source of which they are not owners or operators or the NOx authorized account representative.

Condition 87: Liability- facility no common stacks
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 87.1:
No permit revision shall excuse any violation of the requirements of the ADR NOx Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR NOx Budget Trading Program that applies to a NOx budget source (including a provision applicable to the NOx authorized account representative of a NOx budget source) shall also apply to the owners and operators of such source and of the NOx budget units at the source.

Condition 88: Effect on other Authorities
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 88.1:
No provision of the ADR NOx Budget Trading Program, a NOx budget permit application, or a NOx budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the NOx authorized account representative of a NOx budget source or NOx budget unit from compliance with any other provisions of applicable State and federal law and regulations.

Condition 89: Authorization and responsibilities of the NOx authorized account representative
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-2

Item 89.1:

Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account

representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, not withstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

No NOx budget permit shall be issued, and no NOx Allowance Tracking System account shall be established for a NOx budget unit at a source, until the department or its agent has received a complete account certificate of representation under NYCRR 237-2.4 for a NOx authorized account representative of the source and the NOx budget units at the source.

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

The department or its agent will accept or act on a submission made on behalf of owners or operators of a NOx budget source or a NOx budget unit only if the submission has been made, signed, and certified in accordance with NYCRR 237-2.1(e)(1).

Condition 2-88: Authorization and responsibilities of the NOx authorized account representative to be included in existing permits.

Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-2

Item 2-88.1: Except as provided under NYCRR 237-2.2, each NOx budget source, including all NOx budget units at the source, shall have one and only one NOx authorized account representative, with regard to all matters under the Acid Deposition Reduction (ADR) NOx Budget Trading Program concerning the source or any NOx budget unit at the source.

The NOx authorized account representative of the NOx budget source shall be selected by an agreement binding on the owners and operators of the source and all NOx budget units at the source.

Upon receipt by the department or its agent of a complete account certificate of representation under NYCRR 237-2.4, the NOx authorized account representative of the source shall represent and, by his or her representations, actions, inactions, or submissions, legally bind each owner and operator of the NOx budget source represented and each NOx budget unit at the source in all matters pertaining to the ADR NOx Budget Trading Program, not withstanding any agreement between the NOx authorized account representative and such owners and operators. The owners and operators shall be bound by any decision or order issued to the NOx authorized account representative by the department or a court regarding the source or unit.

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

Condition 2-89: Submission of NOx budget permit application
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-3.2

Item 2-89.1: For any source, with any NOx budget unit subject to this Acid Deposition Reduction NOx Budget Trading Program (under 6NYCRR 237-1.4) the NOx budget authorized account representative shall submit a complete NOx budget permit application containing the information required by 6NYCRR 237-3.3 covering such NOx budget unit to the Department at least 12 months before the date on which the NOx budget unit commences operation.

Condition 90: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-4.1

Item 90.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 90.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

(1) identification of each NOx budget unit;

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

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

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

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

In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for

operating the source and the NOx budget units at the source in compliance with the Acid Deposition Reduction (ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

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

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

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

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

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-91: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-4.1

Item 2-91.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 2-91.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

(1) identification of each NOx budget unit;

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

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

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

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

In the compliance certification report the NOx authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the NOx budget units at the source in compliance with the Acid Deposition Reduction

(ADR) NOx Budget Trading Program, whether each NOx budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR NOx Budget Trading Program applicable to the unit, including:

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

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

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

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

(e) if a change is required to be reported in (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 91: Submission of NOx allowance transfers
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-7.1

Item 91.1:
The NOx authorized account representatives seeking recordation of a NOx allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the NOx allowance transfer shall include the following elements in a format specified by the department or its agent:

(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 92: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 237-8

Item 92.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 92.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 2-95: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 237-8

Item 2-95.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-95.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: QUARTERLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 2-81: Permit requirments to be included in new permits or units only
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-81.1:
The SO2 authorized account representative of each SO2 budget unit shall:

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

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

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

Condition 2-84: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-84.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-84.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

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

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

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

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

Except for future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), an SO2 allowance

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

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

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

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

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 2-85: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

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

Item 2-85.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-85.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Unless otherwise provided, the owners and operators of the SO2 budget source and each SO2 budget unit at the source shall keep on site or at a site approved by the Department 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.

The account certificate of representation for the SO2 authorized account representative for the source and each SO2 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 238-2.4; 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 SO2 authorized account representative;

All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO2 Budget Trading Program;

Copies of all documents used to complete an SO2 budget permit application and any other submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2009.
Subsequent reports are due every 12 calendar month(s).

Condition 93: Liability
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 93.1:
No permit revision shall excuse any violation of the requirements of the ADR SO2 Budget Trading Program that occurs prior to the date that the revision takes effect.

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget source (including a provision applicable to the SO2 authorized account representative of an SO2 budget source) shall also apply to the owners and operators of such source and of the SO2 budget units at the source;

Any provision of the ADR SO2 Budget Trading Program that applies to an SO2 budget

unit (including a provision applicable to the SO2 authorized account representative of an SO2 budget unit) shall also apply to the owners and operators of such unit. Except with regard to the requirements applicable to units with a common stack under Subpart 238-8, the owners and operators and the SO2 authorized account representative of one SO2 budget unit shall not be liable for any violation by any other SO2 budget unit of which they are not owners or operators or the SO2 authorized account representative and that is located at a source of which they are not owners or operators or the SO2 authorized account representative.

Condition 2-87: Effect on Other Authorities
Effective between the dates of 09/26/2008 and 08/05/2009

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

Replaces Condition(s) 94

Item 2-87.1:
No provision of the ADR SO2 Budget Trading Program, an SO2 budget permit application, or an SO2 budget permit, shall be construed as exempting or excluding the owners and operators and, to the extent applicable, the SO2 authorized account representative of an SO2 budget source or SO2 budget unit from compliance with any other provisions of applicable State and federal law and regulation.

Condition 95: Submissions to the Department
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-2.1

Item 95.1:
Each submission under the Acid Depositiion Reduction (ADR) SO2 Budget Trading Program shall be submitted, signed, and certified by the SO2 authorized account representative for each SO2 budget source on behalf of which the submission is made. Each such submission shall include the following certification statement by the SO2 authorized account representative:

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

Condition 2-90: Submission of SO2 budget permit applications
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 238-3.2

Item 2-90.1: For any source, with any SO2 budget unit subject to this Acid Deposition Reduction SO2 Budget Trading Program, the SO2 budget authorized account representative shall submit a complete SO2 budget permit application containing the information required by 6NYCRR 238-3.3 covering such SO2 budget unit to the Department at least 12 months before the date on which the SO2 budget unit commences operation.

Condition 2-92: Compliance Demonstration
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 238-4.1

Item 2-92.1:
The Compliance Demonstration activity will be performed for the Facility.

Item 2-92.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

For each control period in which one or more SO2 budget units at a source are subject to the SO2 budget emissions limitation, the SO2 authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO2 authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO2 budget emissions limitation for the control period covered by the report:

(1) identification of each SO2 budget unit;

(2) except in instances when the SO2 budget unit seeks to use future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO2 authorized account representative's option, the serial numbers of the SO2 allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO2 authorized account representative's option, for units sharing a common stack and having SO2 emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO2 allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO2 authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO2 budget units at the source in compliance with the ADR SO2 Budget Trading Program, whether each SO2 budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO2 Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO2 budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO2 emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO2 emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when

a change mandated the need for monitor recertification.

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 10/30/2008.
Subsequent reports are due every 3 calendar month(s).

Condition 96: Submission of SO2 allowance transfers
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-7.1

Item 96.1:
The SO2 authorized account representatives seeking recordation of an SO2 allowance transfer shall submit the transfer to the department or its agent. To be considered correctly submitted, the SO2 allowance transfer shall include the following elements in a format specified by the department or its agent:

(a) the numbers identifying both the transferor and transferee accounts;

(b) a specification by serial number of each SO2 allowance to be transferred; and

(c) the printed name and signature of the SO2 authorized account representative of the transferor account and the date signed.

Condition 2-94: Monitoring and Reporting requirments
Effective between the dates of 09/26/2008 and 08/05/2009

Applicable State Requirement:6NYCRR 238-8

Item 2-94.1: The owners and operators, and to the extent applicable, the SO2 authorized account representative of an SO2 budget unit, shall comply with the monitoring and reporting requirements as provided for in all applicable sections of 40 CFR part 75. For purposes of complying with such requirements, the definitions in NYCRR 238-1.2 and in 40 CFR 72.2 shall apply, and the terms "affected unit," and "designated representative" in 40 CFR part 75 shall be replaced by the terms "SO2 budget unit," and "SO2 authorized account representative," respectively, as defined in NYCRR 238-1.2.

**** Emission Unit Level ****

Condition 97: Applicability
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-1.4

Item 97.1:
This Condition applies to Emission Unit: U-00002

Item 97.2:
The administrator has determined this to be an affected SO2 budget unit as defined at 42 U.S.C. section 7651a(2); and is subject to the requirements of NYCRR Part 238. With the exception of any SO2 budget unit which has shutdown in accordance with section 238-1.5 and which no longer has any outstanding compliance obligations stemming from its prior operation, NYCRR 238 applies to every SO2 budget unit.

Condition 98: Permit Requirments
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 98.1:
This Condition applies to Emission Unit: U-00002

Item 98.2:
The SO2 authorized account representative of each SO2 budget unit shall:
(i) submit to the department a complete SO2 budget permit application under section 238-3.3 in accordance with the deadlines specified in NYCRR 238-3.2(b);

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

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

Condition 99: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 99.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 99.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
The owners and operators of each SO2 budget source and each SO2 budget unit at the source shall hold SO2

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

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

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

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

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

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

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

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

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 100: Compliance Demonstration

Effective between the dates of 08/06/2004 and 08/05/2009

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

Item 100.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 100.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

Unless otherwise provided, the owners and operators of the SO2 budget source and each SO2 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.

The account certificate of representation for the SO2 authorized account representative for the source and each SO2 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 238-2.4; 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 SO2 authorized account representative;
All emissions monitoring information, in accordance with NYCRR 238-8;

Copies of all reports, compliance certifications, and other submissions and all records made or required under the ADR SO2 Budget Trading Program;

Copies of all documents used to complete an SO2 budget permit application and any other submission under the ADR SO2 Budget Trading Program or to demonstrate compliance with the requirements of the ADR SO2 Budget Trading Program;

The SO2 authorized account representative of an SO2 budget source and each SO2 budget unit at the source shall submit the reports and compliance certifications required under the ADR SO2 Budget Trading Program, including those under NYCRR 238-4, or 238-8.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 101: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-4.1

Item 101.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 101.2:
Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:

For each control period in which one or more SO2 budget units at a source are subject to the SO2 budget emissions limitation, the SO2 authorized account representative of the source shall submit to the Department by the March 1 following the relevant control period, a compliance certification report for each source covering all such units; as per NYCRR 238-4.

The SO2 authorized account representative shall include in the compliance certification the following elements, in a format prescribed by the department, concerning each unit at the source and subject to the SO2 budget emissions limitation for the control period covered by the report:

(1) identification of each SO2 budget unit;

(2) except in instances when the SO2 budget unit seeks to use future control period SO2 allowances which may be deducted pursuant to NYCRR 238-6.5(f), at the SO2 authorized account representative's option, the serial numbers of the SO2 allowances that are to be deducted from each unit's compliance account under NYCRR 238-6.5 for the control period;

(3) at the SO2 authorized account representative's option, for units sharing a common stack and having SO2 emissions that are not monitored separately or apportioned in accordance with NYCRR 238-8, the percentage of SO2 allowances that is to be deducted from each unit's compliance account under NYCRR 238-6.5(e);

(4) for units using future control period allowances for compliance purposes pursuant to NYCRR 238-6.5(f), the

statement of intent and report required under NYCRR 238-6.5(f)(2); and

(5) the compliance certification under NYCRR 238-4.1(c).

In the compliance certification report, the SO2 authorized account representative shall certify, based on reasonable inquiry of those persons with primary responsibility for operating the source and the SO2 budget units at the source in compliance with the ADR SO2 Budget Trading Program, whether each SO2 budget unit for which the compliance certification is submitted was operated during the calendar year covered by the report in compliance with the requirements of the ADR SO2 Budget Trading Program applicable to the unit, including:

(a) whether the unit was operated in compliance with the SO2 budget emissions limitation;

(b) whether the monitoring plan that governs the unit has been maintained to reflect the actual operation and monitoring of the unit, and contains all information necessary to attribute SO2 emissions to the unit, in accordance with Subpart 238-8;

(c) whether all the SO2 emissions from the unit, or a group of units (including the unit) using a common stack, were monitored or accounted for through the missing data procedures and reported in the quarterly monitoring reports, including whether conditional data were reported in the quarterly reports in accordance with Subpart 238-8. If conditional data were reported, the owner or operator shall indicate whether the status of all conditional data has been resolved and all necessary quarterly report resubmissions have been made;

(d) whether the facts that form the basis for certification under Subpart 238-8 of each monitor at the unit or a group of units (including the unit) using a common stack, or for using an excepted monitoring method or alternative monitoring method approved under Subpart 238-8, if any, has changed; and

(e) if a change is required to be reported under (4) above, specify the nature of the change, the reason for the change, when the change occurred, and how the unit's compliance status was determined subsequent to the change, including what method was used to determine emissions when a change mandated the need for monitor recertification.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 102: Compliance Demonstration
Effective between the dates of 08/06/2004 and 08/05/2009

Applicable State Requirement:6NYCRR 238-8

Item 102.1:
The Compliance Demonstration activity will be performed for:

Emission Unit: U-00002

Item 102.2:
Compliance Demonstration shall include the following monitoring:

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

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION