

New York State Department of Environmental Conservation
Facility DEC ID: 1472200926



PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air Title V Facility
Permit ID: 1-4722-00926/00006
Effective Date: 01/06/2006 Expiration Date: 01/05/2011

Permit Issued To: NEW YORK POWER AUTHORITY
123 MAIN ST
WHITE PLAINS, NY 10601

Contact: KOLLI M RAO
NEW YORK POWER AUTHORITY
123 MAIN STREET
WHITE PLAINS, NY 10601
(914) 681-6387

Facility: RICHARD M FLYNN POWER PLANT
607 UNION AVE
HOLTSVILLE, NY 11742

Contact: KOLLI M RAO
NEW YORK POWER AUTHORITY
123 MAIN STREET
WHITE PLAINS, NY 10601
(914) 681-6387

Description:

NATURE OF THE BUSINESS AT THE FACILITY:

Richard M. Flynn Power plant is located in Holtsville, Suffolk County. The plant is a combined cycle power plant consisting of one Siemens Combustion Turbine with a heat recovery steam generator (HRSG), a condensing steam turbine generator (STG) and associated exempt support activities which consist of an emergency generator and a diesel pump. The facility generates 150 MW of power for sale to Long Island Power Authority.
(Primary SIC) - 4931

TYPE OF EQUIPMENT AND OPERATIONS AT THE FACILITY:

The Siemens turbine is rated at 1146 MMBtu/hr when firing natural gas (the primary fuel) and 1291 MMBtu/hr when firing No. 2 fuel oil (back-up fuel). The gas turbine is equipped with an air inlet fogger, which will be used when the ambient temperature is higher than 55 degrees F. The use of air fogger will increase the design capacity of the turbine to 1192 MMBtu/hr. The control equipment includes the Dry Low NOx Combustor within the turbine in combination with water injection to reduce oxides of nitrogen (NOx) emissions. Continuous Emission Monitoring Systems (CEMS) are in place to monitor the NOx and CO, and wet and dry O2 emissions from the turbine. Volatile Organic Compounds (VOC) and particulates emissions will be monitored upon request by the Department. Fuel consumption and water



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injection rates are monitored on a continuous basis. Fuel sulfur is monitored in the fuel oil on a per delivery basis. The power authority must continuously calculate the oil and gas flow rates to the turbine. Fuel flow rate shall be used to determine the mass emissions corresponding to the CEMS measured data.

AIR PERMIT APPLICABILITY:

The facility was originally permitted in March 1994 based on 6NYCRR Part 201 - Permits, federal regulation 40CFR52-A.21(j)(2) - Prevention of Significant Deterioration (PSD) arose from the reviews of PSD of air quality and Best Available Control Technology (BACT) and 6NYCRR Part 617 - State Environmental Quality Review. The facility is also subjected to federal regulation 40CFR60, Subpart GG - New Source Performance Standard for Stationary Gas Turbine, and state regulations 6NYCRR Part 204 - NOx Budget Trading Program, 6NYCRR Part 237 - Acid Deposition Reduction NOx Budget Trading Program and 6NYCRR Part 238 - Acid Deposition Reduction SO2 Budget Trading Program.

OCCURRENCE OF CAPPING:

None

CONSENT ORDERS OR COMPLIANCE PLANS:

None

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: ROGER EVANS
 DIVISION OF ENVIRONMENTAL PERMITS
 SUNY CAMPUS, LOOP ROAD, BUILDING 40
 STONY BROOK, NY 11790-2356

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

Item B: Permittee's Contractors to Comply with Permit

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

Item C: Permittee Responsible for Obtaining Other Required Permits

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

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

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



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 and Modifications

Permit Modifications, Suspensions and Revocations by the Department

Facility Level

Submission of Applications for Permit Modification or Renewal-REGION 1

HEADQUARTERS



DEC GENERAL CONDITIONS

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

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

GENERAL CONDITIONS - Apply to ALL Authorized Permits.

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

Item 1.1:

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

Item 1.2:

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

Item 1.3:

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

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

Item 2.1:

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

Condition 3: Applications for Permit Renewals 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:



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

Condition 4: Permit Modifications, Suspensions 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



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ARTICLE 19: AIR POLLUTION CONTROL - TITLE V PERMIT

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123 MAIN ST
WHITE PLAINS, NY 10601

Facility: RICHARD M FLYNN POWER PLANT
607 UNION AVE
HOLTSVILLE, NY 11742

Authorized Activity By Standard Industrial Classification Code:
4931 - ELEC & OTHER SERVICES COMBINED

Permit Effective Date: 01/06/2006

Permit Expiration Date: 01/05/2011



LIST OF CONDITIONS

FEDERALLY ENFORCEABLE CONDITIONS

Facility Level

- 1 6NYCRR 200.6: Acceptable Ambient Air Quality
- 2 6NYCRR 201-6.5(a)(7): Fees
- 3 6NYCRR 201-6.5(c): Recordkeeping and reporting of compliance monitoring
- 4 6NYCRR 201-6.5(c)(2): Monitoring, Related Recordkeeping, and Reporting Requirements.
- 5 6NYCRR 201-6.5(c)(3)(ii): Compliance Certification
- 6 6NYCRR 201-6.5(e): Compliance Certification
- 7 6NYCRR 202-2.1: Compliance Certification
- 8 6NYCRR 202-2.5: Recordkeeping requirements
- 9 6NYCRR 215: Open Fires Prohibited at Industrial and Commercial Sites
- 10 6NYCRR 200.7: Maintenance of Equipment
- 11 6NYCRR 201-1.7: Recycling and Salvage
- 12 6NYCRR 201-1.8: Prohibition of Reintroduction of Collected Contaminants to the air
- 13 6NYCRR 201-3.2(a): Exempt Sources - Proof of Eligibility
- 14 6NYCRR 201-3.3(a): Trivial Sources - Proof of Eligibility
- 15 6NYCRR 201-6.5(a)(4): Standard Requirement - Provide Information
- 16 6NYCRR 201-6.5(a)(8): General Condition - Right to Inspect
- 17 6NYCRR 201-6.5(d)(5): Standard Requirements - Progress Reports
- 18 6NYCRR 201-6.5(f)(6): Off Permit Changes
- 19 6NYCRR 202-1.1: Required Emissions Tests
- 20 6NYCRR 211.3: Visible Emissions Limited
- 21 40CFR 68: Accidental release provisions.
- 22 40CFR 82, Subpart F: Recycling and Emissions Reduction
- 23 6NYCRR 201-6: Emission Unit Definition
- 24 6NYCRR 201-6.5(c)(3): Compliance Certification
- 25 6NYCRR 204-2.1: Submissions to the Department.
- 26 6NYCRR 204-4.1: Contents of reports and compliance certifications.
- 27 6NYCRR 204-4.1: Compliance Certification
- 28 6NYCRR 204-7.1: Submission of NOx allowance transfers.
- 29 6NYCRR 204-8.1: General provisions.
- 30 6NYCRR 204-8.1: Prohibitions.
- 31 6NYCRR 204-8.1: Requirements for installation, certification, and data accounting.
- 32 6NYCRR 204-8.2: Requirements for recertification of monitoring systems.
- 33 6NYCRR 204-8.3: Out of control periods.
- 34 6NYCRR 204-8.4: Compliance Certification
- 35 6NYCRR 204-8.7: Compliance Certification
- 36 40CFR 52.21, Subpart A: Compliance Certification
- 37 40CFR 52.21, Subpart A: Compliance Certification
- 38 40CFR 52.21, Subpart A: Compliance Certification



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- 39 40CFR 52.21, Subpart A: Compliance Certification
 - 40 40CFR 52.21, Subpart A: Compliance Certification
 - 41 40CFR 52.21, Subpart A: Compliance Certification
 - 42 40CFR 60.4, NSPS Subpart A: EPA Region 2 address.
 - 43 40CFR 60.7(a), NSPS Subpart A: Date of Construction Notification -
if a COM is used
 - 44 40CFR 60.7(b), NSPS Subpart A: Recordkeeping requirements.
 - 45 40CFR 60.7(c), NSPS Subpart A: Excess emissions report.
 - 46 40CFR 60.7(f), NSPS Subpart A: Facility files for subject sources.
 - 47 40CFR 60.334(b), NSPS Subpart GG: CEMS
 - 48 40CFR 60.334(b), NSPS Subpart GG: Compliance Certification
- Emission Unit Level**
- 49 6NYCRR 201-6: Emission Point Definition By Emission Unit
 - 50 6NYCRR 201-6: Process Definition By Emission Unit

EU=U-00001

- 51 6NYCRR 227-1.3: Compliance Certification
- 52 40CFR 52.21, Subpart A: Compliance Certification
- 53 40CFR 52.21, Subpart A: Compliance Certification
- 54 40CFR 52.21, Subpart A: Compliance Certification
- 55 40CFR 52.21, Subpart A: Compliance Certification
- 56 40CFR 60.13(a), NSPS Subpart A: Compliance Certification

EU=U-00001,Proc=P01

- 57 40CFR 52.21, Subpart A: Compliance Certification
- 58 40CFR 52.21, Subpart A: Compliance Certification
- 59 40CFR 52.21, Subpart A: Compliance Certification
- 60 40CFR 52.21, Subpart A: Compliance Certification
- 61 40CFR 52.21, Subpart A: Compliance Certification
- 62 40CFR 52.21, Subpart A: Compliance Certification
- 63 40CFR 52.21, Subpart A: Compliance Certification
- 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=P02

- 67 40CFR 52.21, Subpart A: Compliance Certification
- 68 40CFR 52.21, Subpart A: Compliance Certification
- 69 40CFR 52.21, Subpart A: Compliance Certification
- 70 40CFR 52.21, Subpart A: Compliance Certification
- 71 40CFR 52.21, Subpart A: Compliance Certification
- 72 40CFR 52.21, Subpart A: Compliance Certification
- 73 40CFR 52.21, Subpart A: Compliance Certification
- 74 40CFR 52.21, Subpart A: Compliance Certification
- 75 40CFR 52.21, Subpart A: Compliance Certification
- 76 40CFR 52.21, Subpart A: Compliance Certification

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STATE ONLY ENFORCEABLE CONDITIONS

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- 77 ECL 19-0301: Contaminant List
- 78 6NYCRR 201-1.4: Unavoidable noncompliance and violations
- 79 6NYCRR 211.2: Air pollution prohibited
- 80 6NYCRR 237-1.4(a): Applicable Facility, with a unit of a capacity of 25 MWe or greater
- 81 6NYCRR 237-1.6(a): Permit Requirements
- 82 6NYCRR 237-1.6(c): Compliance Demonstration
- 83 6NYCRR 237-1.6(e): Recordkeeping and Reporting Requirements
- 84 6NYCRR 237-1.6(f): Liability- facility and units with common stacks
- 85 6NYCRR 237-1.6(g): Effect on other Authorities
- 86 6NYCRR 237-2: Authorization and responsibilities of the NOx authorized account representative
- 87 6NYCRR 237-4.1: Compliance Demonstration
- 88 6NYCRR 237-7.1: Submission of NOx allowance transfers
- 89 6NYCRR 237-8: Compliance Demonstration
- 90 6NYCRR 238-1.4: Applicability
- 91 6NYCRR 238-1.6(a): Permit Requirments
- 92 6NYCRR 238-1.6(c): Compliance Demonstration
- 93 6NYCRR 238-1.6(e): Compliance Demonstration
- 94 6NYCRR 238-1.6(f): Liability
- 95 6NYCRR 238-1.6(g): Effect on Other Authorities
- 96 6NYCRR 238-2.1: Submissions to the Department
- 97 6NYCRR 238-4.1: Compliance Demonstration
- 98 6NYCRR 238-7.1: Submission of SO2 allowance transfers
- 99 6NYCRR 238-8: Compliance Demonstration

Emission Unit Level

EU=U-00001

- 100 6NYCRR 238-1.4: Applicability



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



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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

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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

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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



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is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item L: Permit Exclusion - ECL 19-0305

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

Item M: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

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

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

Condition 1: Acceptable Ambient Air Quality
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 200.6

Item 1.1:

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit



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any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Condition 2: Fees

Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 2.1:

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

Condition 3: Recordkeeping and reporting of compliance monitoring

Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 3.1:

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 4: Monitoring, Related Recordkeeping, and Reporting Requirements.

Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 4.1:

Compliance monitoring and recordkeeping shall be conducted according to the terms and conditions contained in this permit and shall follow all quality assurance requirements found in applicable



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regulations. Records of all monitoring data and support information must be retained for a period of at least 5 years from the date of the monitoring, sampling, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

Condition 5: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 5.1:

The Compliance Certification activity will be performed for the Facility.

Item 5.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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

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(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.

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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 7/30/2006.
Subsequent reports are due every 6 calendar month(s).

Condition 6: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 6.1:

The Compliance Certification activity will be performed for the Facility.

Item 6.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

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

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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

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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 1/30/2007.
Subsequent reports are due on the same day each year

Condition 7: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 202-2.1

Item 7.1:
The Compliance Certification activity will be performed for the Facility.

Item 7.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES
Monitoring Description:
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 8: Recordkeeping requirements
Effective between the dates of 01/06/2006 and 01/05/2011



Applicable Federal Requirement: 6NYCRR 202-2.5

Item 8.1:

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

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

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

Condition 9: Open Fires Prohibited at Industrial and Commercial Sites
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 215

Item 9.1:

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 10: Maintenance of Equipment
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 200.7

Item 10.1:

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 11: Recycling and Salvage
Effective between the dates of 01/06/2006 and 01/05/2011

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Applicable Federal Requirement: 6NYCRR 201-1.7

Item 11.1:

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 12: Prohibition of Reintroduction of Collected Contaminants to the air
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 201-1.8

Item 12.1:

No person shall 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 13: Exempt Sources - Proof of Eligibility
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 13.1:

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 14: Trivial Sources - Proof of Eligibility
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 14.1:

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 15: Standard Requirement - Provide Information



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Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 15.1:

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 16: General Condition - Right to Inspect

Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 16.1:

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 17: Standard Requirements - Progress Reports

Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 17.1:

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

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



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(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 18: Off Permit Changes
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 18.1:

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 19: Required Emissions Tests
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 202-1.1

Item 19.1:

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 20: Visible Emissions Limited
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 211.3

Item 20.1:



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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 21: Accidental release provisions.
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 68

Item 21.1:

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 22: Recycling and Emissions Reduction
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 82, Subpart F

Item 22.1:

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 23: Emission Unit Definition



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Applicable Federal Requirement: 6NYCRR 201-6

Item 23.1:

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

Emission Unit: U-00001

Emission Unit Description:

EMISSION UNIT U00001 REPRESENTS A SIEMENS V84.2 COMBUSTION TURBINE RATED AT 1,146 MMBTU/HR WHEN FIRING NATURAL GAS (THE PRIMARY FUEL) AND 1,291 MMBTU/HR WHEN FIRING NO. 2 FUEL OIL (BACKUP FUEL). THE GAS TURBINE IS EQUIPPED WITH AN AIR INLET FOGGER, WHICH WILL BE USED WHEN THE AMBIENT TEMPERATURE IS HIGHER THAN 55 DEGREES F. THE USE OF FOGGER WILL INCREASE THE DESIGN CAPACITY OF THE TURBINE TO 1192 MMBtu/hr WHEN COMBUSTING NATURAL GAS. THE COMBINED CYCLE FACILITY GENERATES 150 MW OF POWER FOR SALE TO THE LONG ISLAND POWER AUTHORITY.

Building(s): BUILDINGA

Condition 24: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

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

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: 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.



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All required reports must be certified by the responsible official for this facility.

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 Compliance Monitoring and Enforcement (BCME) in the DEC central office). Mailing addresses for the above referenced persons are contained in the monitoring condition for 6 NYCRR Part 201-6.5(e), contained elsewhere in this permit.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 25: Submissions to the Department.
Effective between the dates of 01/06/2006 and 01/05/2011**

Applicable Federal Requirement: 6NYCRR 204-2.1

Item 25.1: 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 26: Contents of reports and compliance certifications.



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Applicable Federal Requirement: 6NYCRR 204-4.1

Item 26.1: 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 27: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-4.1

Item 27.1:

The Compliance Certification activity will be performed for the Facility.

Item 27.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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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 28: Submission of NOx allowance transfers.
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-7.1

Item 28.1: 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 29: General provisions.
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 29.1: 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 30: Prohibitions.
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 30.1: 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



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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, NO_x 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 NO_x 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 NO_x 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 31: Requirements for installation, certification, and data accounting.

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-8.1

Item 31.1: The owner or operator of each NO_x Budget unit must meet the following requirements. These provisions also apply to a unit for which an application for a NO_x 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 NO_x mass. This includes all systems required to monitor NO_x emission rate, NO_x 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 NO_x 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 32: Requirements for recertification of monitoring systems.
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-8.2

Item 32.1: Whenever the owner or operator makes a replacement, modification, or change in a certified



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monitoring system that the Administrator or the Department determines significantly affects the ability of the system to accurately measure or record NO_x 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 33: Out of control periods.
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-8.3

Item 33.1: 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 34: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 204-8.4

Item 34.1:
The Compliance Certification activity will be performed for the Facility.

Item 34.2:
Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Authorized Account Representative for a NO_x 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

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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:

NYS SUNY
Building 40
Stony Brook, NY 11790-2356

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 35: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Applicable Federal Requirement: 6NYCRR 204-8.7

Item 35.1:

The Compliance Certification activity will be performed for the Facility.

Item 35.2:

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 4/30/2006.

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

Condition 36: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 36.1:

The Compliance Certification activity will be performed for the Facility.

Item 36.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Power Authority must continuously measure and record ambient air temperature at the facility. Such measurement must be accurate within +/- 1 degree F.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

Condition 37: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926



Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 37.1:

The Compliance Certification activity will be performed for the Facility.

Item 37.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Power Authority must continuously monitor oil and gas fuel flow rates. Fuel flow rates shall be used to determine the mass emission rates corresponding to the CEM measured data. This change to the fuel flow is due to the 40 CFR 75 Appendix D monitoring.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

Condition 38: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 38.1:

The Compliance Certification activity will be performed for the Facility.

Item 38.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

THE SULFUR CONTENT OF DISTILLATE FUEL BURNED AT THE FACILITY SHALL NOT EXCEED 0.20 PERCENT BY WEIGHT.

Work Practice Type: PARAMETER OF PROCESS MATERIAL

Process Material: NUMBER 2 OIL

Parameter Monitored: SULFUR CONTENT

Upper Permit Limit: 0.20 percent by weight

Reference Test Method: ASTM Method 4294

Monitoring Frequency: PER DELIVERY



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

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 1/30/2007.

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

Condition 39: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 39.1:

The Compliance Certification activity will be performed for the Facility.

Item 39.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

The Power Authority shall maintain a file of all measurements, including CEM system performance evaluations; all CEM systems or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR 60 to be maintained by permittees, recorded in a permanent form suitable for inspection. The file shall be retained for at least five years following the date of such measurement, maintenance, reports and records.

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

Condition 40: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 40.1:

The Compliance Certification activity will be performed for the Facility.

Item 40.2:



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- Facility shall submit a quarterly written CEM report to NYSDEC for every calendar year quarter. All quarterly reports shall be post marked by the 30th day following the end of each calendar quarter and shall include:
1. CEMs down time (40CFR 60.7(b)) and excess emissions (40CFR 60.7 (c)) in a summary format, as found in 40 CFR 60.7(d) or equivalent.
 2. The results of the quarterly monitoring performance audit, reported in the format of 40CFR 75 Appendix D and G(or equivalent).
 3. Excess emissions shall be identified as any one-hour block period during which the average emissions of NO_x or CO, as measured by the CEM system, exceeds the corresponding mass or concentration emission limits set forth in this Permit.
 4. For the purposes of this Permit, excess emissions indicated by the CEM system for one hour block periods other than startups and shutdowns may be considered violations of the applicable emission limits.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: QUARTERLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 4/30/2006.

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

Condition 41: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 41.1:

The Compliance Certification activity will be performed for the Facility.

Item 41.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

- A summary of the emission limits and operating restrictions of this Permit must be posted in the control room of the facility and must be plainly visible (without obstruction) to the operator of the facility.



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: SEMI-ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 7/30/2006.

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

**Condition 42: EPA Region 2 address.
Effective between the dates of 01/06/2006 and 01/05/2011**

Applicable Federal Requirement: 40CFR 60.4, NSPS Subpart A

Item 42.1:

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 43: Date of Construction Notification - if a COM is used
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 43.1:

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, post marked no later than 30 days after such date;
- 3) a notification of the actual date of initial start up, post marked within 15 days after such date;



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- 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 this part. The notice shall be post marked 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, post marked not less than 30 days prior to such date;
- 6) a notification of the anticipated date for conducting the opacity observations, post marked not less than 30 days prior to such date, if a continuous opacity monitor is not being used at the facility; 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, post marked not less than 30 days prior to the performance test.

Condition 44: Recordkeeping requirements.
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 44.1:

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 45: Excess emissions report.
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 45.1:

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



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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 46: Facility files for subject sources.
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 46.1:

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 47: CEMS
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 47.1:

The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NOX emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NOX and O₂ monitors. As an alternative, a CO₂ monitor may be used to adjust the measured NOX concentrations to 15 percent O₂ by either converting the CO₂ hourly averages to equivalent O₂ concentrations using Equation F-14a or F-14b in appendix F to 40 CFR Part 75 and making the adjustments to 15 percent O₂, or by using the CO₂ readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as specified in 40 CFR 60.334(b)(1), (2) and (3).

**Condition 48: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 48.1:

The Compliance Certification activity will be performed for the Facility.

Item 48.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES



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Monitoring Description:

While Natural Gas Burning

The USEPA has granted a waiver from monitoring the fuel nitrogen content in the natural gas in a letter dated December 6, 1994. Analytical methods and procedures for analyzing fuel sulfur content shall be chosen in accordance with 40 CFR 60.335. Follow the sulfur monitoring procedures as described in the December 4, 1994 letter from USEPA.

While Fuel Oil Burning

The Power Authority shall monitor the sulfur content in the fuel oil for each delivery. The sulfur content shall not exceed 0.20 percent by weight in the fuel oil. Nitrogen content shall be monitored each time the fuel is transferred to the storage tank from any other source.

Reference Test Method: ASTM

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 4/30/2006.

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

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

**Condition 49: Emission Point Definition By Emission Unit
Effective between the dates of 01/06/2006 and 01/05/2011**

Applicable Federal Requirement: 6NYCRR 201-6

Item 49.1:

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

Emission Unit: U-00001

Emission Point: EP001

Height (ft.): 120

Diameter (in.): 210

NYTMN (km.): 4520.023 NYTME (km.): 663.233 Building: BUILDINGA

**Condition 50: Process Definition By Emission Unit
Effective between the dates of 01/06/2006 and 01/05/2011**

Applicable Federal Requirement: 6NYCRR 201-6

New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926



Item 50.1:

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

Emission Unit: U-00001

Process: P01

Source Classification Code: 2-01-002-01

Process Description:

EMISSION UNIT U00001 IS COMPOSED OF A SIEMENS/KWU V84.2 DUAL FIRED TURBINE. PROCESS P01 FOR EMISSION UNIT U00001 REPRESENTS NATURAL GAS FIRING IN TURBINE. AN AIR FOGGING SYSTEM HAS BEEN INSTALLED AND CAN BE OPERATED WHEN THE AMBIENT TEMPERATURE IS ABOVE 55 DEGREE F. THE AIR FOGGER IS DESIGNED TO INCREASE POWER OUTPUT OF THE TURBINE BY SPRAYING A FINE MIST OR FOG IN TO THE INLET DUCT OF THE TURBINE COMPRESSOR.

Emission Source/Control: E0001 - Combustion

Design Capacity: 1,146 million Btu per hour

Emission Source/Control: C0001 - Control

Control Type: DRY LOW NO_x BURNER

Emission Source/Control: E0003 - Process

Design Capacity: 1,192 million Btu per hour

Item 50.2:

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

Emission Unit: U-00001

Process: P02

Source Classification Code: 2-01-001-01

Process Description:

EMISSION UNIT U00001 IS COMPOSED OF A SIEMENS/KWU V84.2 DUAL FIRED TURBINE. PROCESS P02 FOR EMISSION UNIT U00001 REPRESENTS NO. 2 FUEL OIL FIRING IN TURBINE.

Emission Source/Control: E0002 - Combustion

Design Capacity: 1,291 million Btu per hour

Emission Source/Control: C0002 - Control

Control Type: STEAM OR WATER INJECTION

Condition 51: Compliance Certification



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 6NYCRR 227-1.3

Item 51.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 51.2:

Compliance Certification shall include the following monitoring:

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

Monitoring Description:

LIMIT SMOKE EMISSIONS TO 20% OPACITY (SIX MINUTE AVERAGE), EXCEPT FOR ONE SIX-MINUTE PERIOD PER HOUR OF NOT MORE THAN 27% OPACITY.

Parameter Monitored: OPACITY

Upper Permit Limit: 20 percent

Reference Test Method: Method 9

Monitoring Frequency: CONTINUOUS

Averaging Method: 6 MINUTE AVERAGE

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 52: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 52.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 52.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

TOTAL ANNUAL FUEL OIL USE SHALL NOT



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

EXCEED 14.1 MILLION GALLONS PER YEAR
WITHIN ANY CONSECUTIVE 365 DAY PERIOD.

Work Practice Type: PROCESS MATERIAL THRUPUT
Process Material: NUMBER 2 OIL
Upper Permit Limit: 14100 thousand gallons per year
Reference Test Method: NA
Monitoring Frequency: DAILY
Averaging Method: ANNUAL MAXIMUM ROLLED DAILY
Reporting Requirements: ANNUALLY (CALENDAR)
Reports due 30 days after the reporting period.
The initial report is due 1/30/2007.
Subsequent reports are due every 12 calendar month(s).

Condition 53: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 53.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 53.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE GAS TURBINE SHALL FIRE ONLY NATURAL
GAS AND DISTILLATE NO. 2 FUEL OIL
(DIESEL).

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 54: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 54.1:

The Compliance Certification activity will be performed for:

New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926



Emission Unit: U-00001

Item 54.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

THE GAS TURBINE MAY NOT OPERATE BELOW
50% LOAD (51.20 MW GAS FIRING 51 DEG F),
EXCEPT DURING STARTUP & SHUTDOWN.

Monitoring Frequency: CONTINUOUS

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.

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

Condition 55: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 55.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 55.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC
OPERATIONS

Monitoring Description:

ALTERNATE FUEL USAGE (DISTILLATE NO. 2
FUEL OIL) IN THE GAS TURBINE IS LIMITED
TO 1,440 HOURS/YR, CALCULATED WITHIN ANY
CONSECUTIVE 365 DAY PERIOD.

Work Practice Type: PROCESS MATERIAL THRUPUT

Process Material: NUMBER 2 OIL

Upper Permit Limit: 1,440 hours

Reference Test Method: NA

Monitoring Frequency: HOURLY

Averaging Method: ANNUAL MAXIMUM ROLLED DAILY

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 30 days after the reporting period.

The initial report is due 1/30/2007.



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Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

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

Condition 56: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 60.13(a), NSPS Subpart A

Item 56.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Item 56.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 57: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 57.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 57.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1.30 LB/HR PARTICULATE MATTER EMISSION
LIMIT DURING NATURAL GAS FIRING BASED
UPON HIGH HEATING VALUE (HHV) OF FUEL.
PERFORMANCE TEST SHALL BE CONDUCTED TO
VERIFY COMPLIANCE WITH THE LIMIT AT THE
REQUEST OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 1.30 pounds per hour

Reference Test Method: METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 58: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 58.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 58.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0011 LB/MMBTU PARTICULATE MATTER
EMISSION LIMIT DURING NATURAL GAS FIRING
BASED UPON HIGH HEATING VALUE (HHV) OF
FUEL. PERFORMANCE TEST SHALL BE
CONDUCTED TO VERIFY COMPLIANCE AT THE
REQUEST OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 0.0011 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 59: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 59.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

Item 59.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0011 LB/MMBTU PM-10 EMISSION LIMIT
DURING NATURAL GAS FIRING BASED UPON HIGH
HEATING VALUE (HHV) OF FUEL.
PERFORMANCE TEST SHALL BE CONDUCTED TO
VERIFY COMPLIANCE WITH THE LIMIT AT THE
REQUEST OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 0.0011 pounds per million Btus

Reference Test Method: Method 201A

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 60: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 60.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

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

Item 60.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

9 PPM (BY VOLUME, DRY, CORRECTED TO 15% O2) NOX EMISSION LIMIT DURING NATURAL GAS FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL.

Manufacturer Name/Model Number: Rosemount Analytical, Inc Model 951A

Upper Permit Limit: 9 parts per million by volume (dry, corrected to 15% O2)

Reference Test Method: Method 7E

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 4/30/2006.

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

Condition 61: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 61.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 61.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

8.5 PPM (DRY, CORRECTED TO 15% O2) CO EMISSION LIMIT DURING NATURAL GAS FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL.



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Manufacturer Name/Model Number: THERMO ENVIRONMENTAL INSTRUMENTS
MODEL 48C

Upper Permit Limit: 8.5 parts per million by volume
(dry, corrected to 15% O₂)

Reference Test Method: Method 10

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 4/30/2006.

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

Condition 62: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 62.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 62.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.008 LB/MMBTU VOC EMISSION LIMIT DURING
NATURAL GAS FIRING BASED UPON HIGH
HEATING VALUE (HHV) OF FUEL. PERFORMANCE
TEST SHALL BE CONDUCTED TO VERIFY
COMPLIANCE WITH THE LIMIT AT THE REQUEST
OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 0.008 pounds per million Btus

Reference Test Method: Method 25A

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 63: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 63.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

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

Item 63.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

46 LB/HR NOX EMISSION LIMIT DURING
NATURAL GAS FIRING BASED UPON HIGH
HEATING VALUE (HHV) OF FUEL.

Manufacturer Name/Model Number: Rosemount Analytical Inc Model 951A

Upper Permit Limit: 46 pounds per hour

Reference Test Method: Method 7E

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 4/30/2006.

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

Condition 64: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 64.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 64.2:

Compliance Certification shall include the following monitoring:



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

23.8 lb/hr CO emission limit during firing natural gas
based upon High Heating Value (HHV) of fuel.

Manufacturer Name/Model Number: Thermo Environmental Instruments Model 48C

Upper Permit Limit: 23.8 pounds per hour

Reference Test Method: Method 10

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 4/30/2006.

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

Condition 65: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 65.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 65.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

9.6 LB/HR VOC EMISSION LIMIT DURING
NATURAL GAS FIRING BASED UPON HIGH
HEATING VALUE (HHV) OF FUEL. PERFORMANCE
TEST SHALL BE CONDUCTED TO VERIFY
COMPLIANCE WITH THE LIMIT AT THE REQUEST
OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 9.6 pounds per hour

Reference Test Method: METHOD 25A

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Condition 66: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 66.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P01

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

Item 66.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1.30 LB/HR PM-10 EMISSION LIMIT DURING
NATURAL GAS FIRING BASED UPON HIGH
HEATING VALUE (HHV) OF FUEL. PERFORMANCE
TEST SHALL BE CONDUCTED TO VERIFY
COMPLIANCE WITH THE LIMIT AT THE REQUEST
OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 1.30 pounds per hour

Reference Test Method: Method 201A

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 67: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 67.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926



Item 67.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

8.5 PPM (BY VOLUME DRY CORRECTED TO 15%
O₂) CO EMISSION LIMIT DURING FUEL OIL
FIRING BASED UPON HIGH HEATING VALUE
(HHV) OF FUEL.

Manufacturer Name/Model Number: Thermo Environmental Instruments Model 48C

Upper Permit Limit: 8.5 parts per million by volume

(dry, corrected to 15% O₂)

Reference Test Method: Method 10

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 4/30/2006.

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

Condition 68: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 68.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

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

Item 68.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

42 PPM (BY VOLUME, DRY, CORRECTED TO 15%
O₂) NOX EMISSION LIMIT DURING FUEL OIL
FIRING BASED UPON HIGH HEATING VALUE
(HHV) OF FUEL.

Manufacturer Name/Model Number: Rosemount Analytical Inc, Model 951A

Upper Permit Limit: 42 parts per million by volume (dry,



New York State Department of Environmental Conservation

Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

corrected to 15% O₂)

Reference Test Method: Method 7E

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 4/30/2006.

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

Condition 69: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 69.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 000630-08-0 CARBON MONOXIDE

Item 69.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: CONTINUOUS EMISSION MONITORING (CEM)

Monitoring Description:

27 LB/HR CO EMISSION LIMIT DURING FUEL

OIL FIRING BASED UPON HIGH HEATING VALUE

(HHV) OF FUEL.

Manufacturer Name/Model Number: Thermo Environmental Instruments Model 48C

Upper Permit Limit: 27 pounds per hour

Reference Test Method: METHOD 10

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 4/30/2006.

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

Condition 70: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A



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Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Item 70.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

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:

225 LB/HR NOX EMISSION LIMIT DURING FUEL
OIL FIRING BASED UPON HIGH HEATING VALUE
(HHV) OF FUEL.

Manufacturer Name/Model Number: Rosemount Analytical Inc, Model 951A

Upper Permit Limit: 225 pounds per hour

Reference Test Method: METHOD 7E

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 4/30/2006.

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

Condition 71: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 71.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 71.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:



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Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

9.71 LB/HR VOC EMISSION LIMIT DURING
FUEL OIL FIRING BASED UPON HIGH HEATING
VALUE (HHV) OF FUEL. PERFORMANCE TEST
SHALL BE CONDUCTED TO VERIFY COMPLIANCE
WITH THE LIMIT AT THE REQUEST OF THE
DEPARTMENT OR USEPA.

Upper Permit Limit: 9.71 pounds per hour
Reference Test Method: METHOD 25A
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: 1-HOUR AVERAGE
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 72: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 72.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001
Process: P02

Regulated Contaminant(s):
CAS No: 0NY075-00-5 PM-10

Item 72.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING
Monitoring Description:
5.0 LB/HR PM10 EMISSION LIMIT DURING
FUEL OIL FIRING BASED UPON HIGH HEATING
VALUE (HHV) OF FUEL. PERFORMANCE TEST
SHALL BE CONDUCTED TO VERIFY COMPLIANCE
WITH THE LIMIT AT THE REQUEST OF THE
DEPARTMENT OR USEPA.

Upper Permit Limit: 5.0 pounds per hour
Reference Test Method: Method 201A
Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT
Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED
Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 73: Compliance Certification



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Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 73.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 73.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

1.71 LB/HR PM EMISSION LIMIT DURING FUEL OIL FIRING BASED UPON HIGH HEATING VALUE (HHV) OF FUEL. PERFORMANCE TEST SHALL BE CONDUCTED TO VERIFY COMPLIANCE WITH THE LIMIT AT THE REQUEST OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 1.71 pounds per hour

Reference Test Method: METHOD 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 74: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 74.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY075-00-0 PARTICULATES

Item 74.2:



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Permit ID: 1-4722-00926/00006

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Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0013 LB/MMBTU PM EMISSION LIMIT DURING
FUEL OIL FIRING BASED UPON HIGH HEATING
VALUE (HHV) OF FUEL. PERFORMANCE TEST
SHALL BE CONDUCTED TO VERIFY COMPLIANCE
WITH THE LIMIT AT THE REQUEST OF THE
DEPARTMENT OR USEPA.

Upper Permit Limit: 0.0013 pounds per million Btus

Reference Test Method: Method 5

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 75: Compliance Certification
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 75.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY998-00-0 VOC

Item 75.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.007 LB/MMBTU VOC EMISSION LIMIT DURING
FUEL OIL FIRING BASED UPON HIGH HEATING
VALUE (HHV) OF FUEL. PERFORMANCE TEST
SHALL BE CONDUCTED TO VERIFY COMPLIANCE
WITH THE LIMIT AT THE REQUEST OF THE
DEPARTMENT OR USEPA.

Upper Permit Limit: 0.007 pounds per million Btus

Reference Test Method: Method 25A

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT



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Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE

Condition 76: Compliance Certification

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable Federal Requirement: 40CFR 52.21, Subpart A

Item 76.1:

The Compliance Certification activity will be performed for:

Emission Unit: U-00001

Process: P02

Regulated Contaminant(s):

CAS No: 0NY075-00-5 PM-10

Item 76.2:

Compliance Certification shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

0.0039 LB/MMBTU PM10 EMISSION LIMIT
DURING FUEL OIL FIRING BASED UPON HIGH
HEATING VALUE (HHV) OF FUEL. PERFORMANCE
TEST SHALL BE CONDUCTED TO VERIFY
COMPLIANCE WITH THE LIMIT AT THE REQUEST
OF THE DEPARTMENT OR USEPA.

Upper Permit Limit: 0.0039 pounds per million Btus

Reference Test Method: Method 201A

Monitoring Frequency: ONCE DURING THE TERM OF THE PERMIT

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST
METHOD INDICATED

Reporting Requirements: ONCE / BATCH OR MONITORING OCCURRENCE



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 77: Contaminant List
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: ECL 19-0301

Item 77.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this

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permit(emission limits, control requirements or compliance monitoring conditions).

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

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

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

CAS No: 0NY075-00-5
Name: PM-10

CAS No: 0NY998-00-0
Name: VOC

Condition 78: Unavoidable noncompliance and violations
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 201-1.4

Item 78.1:

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



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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 79: Air pollution prohibited
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 211.2

Item 79.1:

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 80: Applicable Facility, with a unit of a capacity of 25 MWe or greater
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 80.1:

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 81: Permit Requirements
Effective between the dates of 01/06/2006 and 01/05/2011



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Permit ID: 1-4722-00926/00006

Facility DEC ID: 1472200926

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

Item 81.1:

The NOx authorized account representative of each NOx budget unit shall: Submit to the department a complete NOx budget permit application under NYCRR 237-3.3 in accordance with the deadlines specified in NYCRR 237-3.2, which states the later of October 1, 2003 or 12 months before the date on which the NOx BU 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 82: Compliance Demonstration
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 82.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 82.2:

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.

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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 4/30/2006.

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

**Condition 83: Recordkeeping and Reporting Requirements
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 83.1:

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



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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 84: Liability- facility and units with common stacks
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 84.1:

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 85: Effect on other Authorities
Effective between the dates of 01/06/2006 and 01/05/2011**

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

Item 85.1:

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



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compliance with any other provisions of applicable State and federal law and regulations.

**Condition 86: Authorization and responsibilities of the NOx authorized account representative
Effective between the dates of 01/06/2006 and 01/05/2011**

Applicable State Requirement: 6NYCRR 237-2

Item 86.1:

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, notwithstanding 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).

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Condition 87: Compliance Demonstration
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 237-4.1

Item 87.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 87.2:

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);

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(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



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(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 88: Submission of NOx allowance transfers
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 237-7.1

Item 88.1:

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 89: Compliance Demonstration
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 237-8

Item 89.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 89.2:

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



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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 90: Applicability
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 238-1.4

Item 90.1:

This facility has one or more affected SO2 budget units as defined at 42 U.S.C. section 7651aC(2) and is subject to the requirements of NYCRR 238.

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Condition 91: Permit Requirements
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 91.1:

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.



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Condition 92: Compliance Demonstration
Effective between the dates of 01/06/2006 and 01/05/2011

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

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:

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



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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 1/30/2007.
Subsequent reports are due every 12 calendar month(s).

Condition 93: Compliance Demonstration
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 93.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 93.2:

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



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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 1/30/2007.

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

Condition 94: Liability

Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 94.1:

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



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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 95: Effect on Other Authorities
Effective between the dates of 01/06/2006 and 01/05/2011

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

Item 95.1:

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 96: Submissions to the Department
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 238-2.1

Item 96.1:

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

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

Condition 97: Compliance Demonstration
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 238-4.1

Item 97.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 97.2:

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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

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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

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Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 98: Submission of SO2 allowance transfers
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 238-7.1

Item 98.1:

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 99: Compliance Demonstration
Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 238-8

Item 99.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 99.2:

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.



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Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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

Condition 100: Applicability

Effective between the dates of 01/06/2006 and 01/05/2011

Applicable State Requirement: 6NYCRR 238-1.4

Item 100.1:

This Condition applies to Emission Unit: U-00001

Item 100.2:

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.